



# The Planning Inspectorate

*DIO AD 03*

Room 1404	<b>PLANNING DEPARTMENT</b>				Direct Line	0117 - 987 8927
Tollgate House	<b>DACORUM BOROUGH COUNCIL</b>				Switchboard	0117 - 987 8000
Houlton Street					Fax No	0117 - 987 8139
Bristol BS2 9DJ		D.P.	D.C.	B.C.	GTN	1374 - 8927
					File	
					E-mail	ENQUIRIES.PINS@GTNET.GOV.UK

-4 NOV 1997

Messrs Briffa Phillips  
Architects  
19-21 Holywell Hill  
St Albans  
Herts  
AL1 1EZ

Your Reference:  
**GB/HB/922**  
Council Reference:  
**4/0701/97ENA**  
Our Reference:  
**T/APP/C/97/A1910/647122**  
Date:  
**03 NOV 1997**

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 174 AND SCHEDULE 6  
PLANNING AND COMPENSATION ACT 1991  
APPEAL BY PINELAND GROUP  
LAND AND BUILDINGS AT 25A BOURNE END MILLS, BOURNE END, HERTS

1. I have been appointed by the Secretary of State for the Environment to determine your clients' appeal against an enforcement notice issued by the Dacorum Borough Council concerning the above mentioned land and buildings. I have considered the written representations made by you and the Council, and also those made by interested persons. I inspected the site on 21 October 1997.

## THE NOTICE

2. (1) The notice was issued on 25 April 1997.
- (2) The breach of planning control as alleged in the notice is the erection of a building.
- (3) The requirements of the notice are -
  1. Dismantle the building.
  2. Permanently remove the materials from the site.
- (4) The period for compliance with these requirements is 2 months.

## GROUND OF APPEAL

3. Your clients' appeal is proceeding on the ground set out in section 174(2)(a) of the 1990 Act as amended by the Planning and Compensation Act 1991. As this, and the deemed application, relate to the same matter I propose to deal with them together. I need to determine this appeal in accordance with the provisions of the development plan, unless other material considerations indicate otherwise. In the Dacorum Borough Local Plan, adopted in 1995, the



appeal site is within a defined employment area included in the Metropolitan Green Belt. Policy 29 of the plan states that in such areas redevelopment and expansion of floorspace will not normally be permitted.

4. You claim that the construction of a link road to the by-pass gives rise to doubts about whether it is still appropriate to retain Bourne End Mills in the Green Belt. However, as the Council say, an individual planning appeal is not the appropriate forum in which to consider any suggested alteration to the boundaries of the Green Belt. The fact is that at present the appeal site is subject to policies applicable to the Green Belt, the Local Plan was adopted quite recently, and I could not reasonably regard it as being out-dated. The erection of a building for storage purposes in connection with an industrial enterprise does not come into the category of development that is appropriate within the Green Belt, in accordance with either national or local policy. You point out that the policy quoted above states only that additional floorspace will not "normally" be permitted. To my mind, this qualification merely reflects that each case needs to be treated on its own merits; but that very special circumstances need to be established to justify inappropriate development in the Green Belt. Consequently I consider the main issue in this appeal is whether there are very special circumstances sufficient to justify the development as an exception to Green Belt policy.

5. You suggest that the size of the building is insignificant in comparison with the many large and diverse buildings which comprise the industrial estate as a whole; you point out that it provides valuable and convenient storage space for your clients; and that the loss of potential on-site car parking space is of little concern because the space still available for your clients' business is ample to meet their present requirements. The Council draw attention to national policy advice that inappropriate development is by definition harmful to the Green Belt, irrespective of the landscape quality of the surroundings; they say no very special circumstances have been advanced sufficient to justify the erection of the building exceptionally; and that if it were to be permitted to remain there would be a shortfall of 11 car parking spaces below the standards indicated in the development plan.

6. To my mind the arguments of the Council are the stronger. The undoubted advantages to your clients of additional storage space are in my opinion outweighed by the fact that the building (which is almost double the area you mentioned in your representations) has added to existing buildings which detract from the openness of the Green Belt hereabouts, it adds to the potential requirements for vehicle parking space, while it occupies space which otherwise would be available for vehicle parking. If I were to permit the retention of the building for the reasons you have given I consider it would make it difficult for the Council to resist future proposals for additional buildings elsewhere on the industrial estate, and this would seriously undermine them in the consistent application of the policy quoted above.

7. I have considered all the other matters raised in the written representations; however, I do not find any of them, either on their own or cumulatively, to be of sufficient weight to change the balance of my conclusions that they do not constitute the very special circumstances sufficient to justify the development as an exception to Green Belt policy.

## FORMAL DECISION

8. For the above reasons, and in exercise of the powers transferred to me, I dismiss your clients' appeal and uphold the enforcement notice. I refuse to grant planning permission on the application deemed to have been made under S177(5) of the amended Act.

## RIGHTS OF APPEAL AGAINST DECISIONS

9. This letter is issued as the determination of the appeal before me. Particulars of the rights of appeal against my decision to the High Court are enclosed for those concerned.

Yours faithfully



P J Roberts FRICS  
Inspector