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N A Johnson
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Received 14 MAY 1999

Your Ref:

Comments

Our Ref:

T/APP/A1910/A/99/1016683/P5

Date:

12 MAY 1999

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 AND SCHEDULE 6 APPEAL BY G & H AUTOS APPLICATION NO: 4/01428/98/FUL

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Dacorum Borough Council to refuse planning permission for the change of use for car sales and show room at a former farm shop, Bovingdon Airfield, Chesham Road, Bovingdon. I have considered all the written representations together with all other material submitted to me. I inspected the site on Tuesday 20 April 1999.

2. The use for which permission is sought has already commenced and I shall therefore deal with the appeal as an application for the continuance of the use in accordance with Section 73A of the Town and Country Planning Act 1990, as amended.

3. From my inspection of the appeal site and its surroundings and from the written representations made, I am of the opinion that the main issues in this appeal are whether the proposal would, firstly, be appropriate to the Green Belt, secondly, prejudice highway safety and, finally, whether there are any very special circumstances which outweigh the harm to the Green Belt.

4. The appeal site is a generally rectangular piece of land, area about 500 sq metres, fronting the north side of the B4505, Chesham Road. Access to the site is via a gated entrance to the B4505 along a private drive that continues to run into the disused Bovingdon airfield. On the eastern side of the drive there is a single storey building which was previously a farm shop that is now in use as a sales office. At the time of my site visit that building was surrounded by a large number of cars for sale. There is a larger hardsurfaced area on the western side of the drive which is proposed to be used as a car park for visitors and sales staff. The site is some distance from the built-up area of Bovingdon and is surrounded by predominantly open land.

5. Dealing with the first main issue, the appeal site is located within the Green Belt. Policy 5 of the Hertfordshire Structure Plan Review 1991 - 2011, adopted April 1998, and paragraph 3.1 of Planning Policy Guidance Note 2 Green Belts make clear that there is a general presumption against inappropriate development in the Green Belt. Paragraph 3.2 of PPG 2 states that inappropriate development is, by definition, harmful to the Green Belt.

6. Structure Plan Policy 5 makes clear that planning permission will not be given, except in very special circumstances, for purposes in the Green Belt other than those detailed in Planning Policy Guidance Note 2. Policy 3 of the Dacorum Borough Local Plan, adopted April 1995, supports Structure Plan Policy 5 by setting out uses which are generally acceptable in the Green Belt. The proposal does fall within any of the uses set out in Local Plan policy 5 and those contained in Planning Policy Guidance Note 2. I find that the proposal is not appropriate development in the Green Belt.

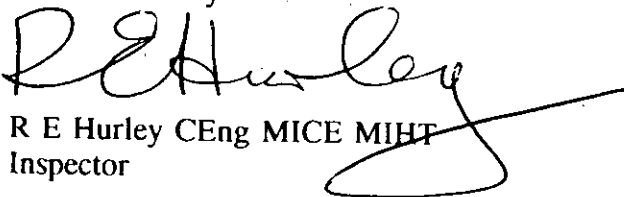
7. Turning now to the second issue, the proposed use would attract a large number of customers, most of whom would be car borne. There would also be a significant number of movements by large vehicles delivering and collecting cars. All the vehicles would enter and leave the site via a drive which has substandard sight lines at its junction with the B4505. The B4505 is a busy road carrying large volumes of traffic, much of which travels at high speeds in the vicinity of the access to the site. There have been a number of accidents at the nearby junction of Leyhill Road and the B4505 and a fatal accident outside the appeal site. Whilst the access has been in regular use for a number of years, I consider that the additional vehicular movements associated with the proposed use would increase the risks to road safety to other road users.

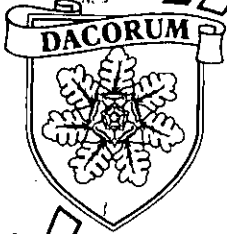
8. I now have regard to the final issue. The government's support for the need to expand the process of diversification of employment and economic activity in the rural economy at large, as well as the reuse and adaptation of rural buildings is expressed in a number of circulars and Planning Policy Guidance Notes. However, as para. 2.2 of Planning Policy Guidance Note 7 makes clear this should be done in a way that protects the countryside for the sake of its beauty, the diversity of its landscape character and its recreational value. In this case I consider that the impact that the vehicles for sale standing on the site and the other sales paraphernalia, such as the large flag and bunting, has on the countryside is so harmful that it outweighs the economic benefits. My opinion is that the proposed use has diminished the openness of the Green Belt substantially. Whilst it would be possible to plant additional trees and shrubs on the site, these would not screen views of the cars and showroom to a material degree. They would be seen from Chesham Road through the space formed by the drive. I conclude that the continuing use of the site for car sales and showroom would cause demonstrable harm to the Green Belt and that there are not the very special circumstances in this case to outweigh the harm.

9. I have taken account of all the other matters in the representations including a petition signed by some 84 people in support of the proposal and your reference to other uses on the disused airfield, but I am of the opinion that they do not outweigh the considerations that have led me to my decision. Having considered the council's comments on the other uses I find no good reason to change my decision in this case.

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

Yours faithfully


R E Hurley CEng MICE MIHT
Inspector



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Applicant:

G & H AUTOS
BOVINGDON AIRFIELD
CHESHAM ROAD
BOVINGDON HEMEL HEMPSTEAD
HERTS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01428/98/FUL

**FORMER FARM SHOP, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD,
HERTS
CHANGE OF USE FOR CAR SALES AND SALES OFFICE**

Your application for full planning permission dated 03 August 1998 and received on 13 August 1998 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 24 September 1998

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/01428/98/FUL

Date of Decision: 24 September 1998

- 1. The application site is located in the Metropolitan Green Belt on the adopted Dacorum Borough Local Plan and the Dacorum Borough Local Plan Alterations 1996. Within the Green Belt, planning permission will only be granted for appropriate development, in accordance with national advice contained in Department of the Environment Planning Policy Guidance Note 2 - Green Belts, Policy 3 of the Dacorum Borough Local Plan and the Bovingdon Airfield Policy Statement of the Dacorum Borough Local Plan Alterations 1996. The proposal represents inappropriate development and no very special circumstances have been advanced to show why planning permission should be granted. The proposal is therefore contrary to national and local planning policies for the area.**
- 2. The site is located in a prominent position within the Green Belt. The use of the site for the sale and display of cars for sale is visually intrusive and has a seriously detrimental effect on the character and appearance of the locality and adversely affects the openness of this part of the Green Belt.**
- 3. The increased use of a substandard access is likely to give rise to conditions prejudicial to highway safety.**