

1579/74B

TOWN AND COUNTRY PLANNING ACT 1971  
TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) RULES 1974

DoE Ref: APP/2142/C/73/1205 & 1206  
L.A. Ref: MB/2447/44

APPEAL BY MR. ALFRED SMITH AND THE REPRESENTATIVES OF MR. NELSON SMITH against an enforcement notice served on them (among others) by the former Hemel Hempstead Rural District Council requiring them to cease the use of land in Water Lane, Bovington, Hertfordshire, for the storage of vehicles for breaking, the breaking of vehicles and the erection of a building.

STATEMENT OF THE DACORUM DISTRICT COUNCIL

1. The Dacorum District Council is the district planning authority for the area administered by the former Hemel Hempstead Rural District Council.

2. The Appeal Site.

Plan No.1 shows the existing uses of the land in the vicinity of the appeal site. The appeal site (shown edged red on Plan No.2) consists partly of part of the Showmen's Caravan Site, Water Lane, Bovington (shown hatched black on Plan No.2) and partly of the field adjoining the Caravan Site to the south (O.S.7746).

3. The Showmen's Caravan Site itself has a long-established use as the winter quarters for travelling showmen. This use is limited to the small field (O.S.6641) in between the two larger fields (O.S. 6648 and 7746) which have an agricultural use. There is no existing use, either of the Caravan Site or of the adjoining fields, for car-breaking or storage of cars for car breaking. This activity started after December 31st 1963. Such repairs to motor vehicles as were carried out before that date were limited to the Showmen's site itself and were incidental to its use as Showmen's winter quarters.

4. Planning Policy for the Area.

The appeal site and adjoining fields are shown on the approved Hertfordshire County Development Plan as without notation, and this remains unchanged in the Hertfordshire County Council's non-statutory review of the Plan 'Hertfordshire 1981'. The policy statement accompanying the Development Plan states, in relation to areas without notation outside the Metropolitan Green Belt:-

"The Green Belt notation may be extended over some of those areas if it should later appear that they ought to be kept open in the long-term. Pending a decision on the matter, the authority will, as a general rule, permit in these areas only such development as would be appropriate in the neighbouring Green Belt."

The policy for the Metropolitan Green Belt is stated as follows:-

"The purpose of the Metropolitan Green Belt is to preserve a stretch of mainly open country as near as possible to London to act as a barrier against the further outward spread of building development and the merging of existing settlements within the Belt, and to provide an area in which town dwellers can find recreation and enjoyment. In

order to achieve this purpose it is essential to retain and protect the existing rural character of the area so allocated. A perimeter limit is defined closely encircling the existing limits of towns and major villages excluded from the Belt. Elsewhere, and including the smaller settlements not so defined, new building will be permitted only in the most exceptional circumstances unless required for agriculture or a purpose related directly to the needs of the rural communities. Certain development of an open character such as hospitals, cemeteries and playing fields may be allowed where this would not prejudice the character of the Green Belt. The Council will judge all proposals to develop land allocated as Green Belt in the Development Plan in the light of this policy."

5. The appeal site, situated as it is in the countryside and approached only by narrow lanes, is not suitable for use as a breaker's yard. Should a use for car breaking be established or intensified, this could only be to the detriment of the amenities of the locality by reason of the noise, unsightliness (as there is no guarantee that the existing hedges would remain) and congestion resulting from the increased traffic of a type for which these lanes are not suited.

#### 6. CONCLUSIONS

The Council consider that the present development of the appeal site is unauthorised; further, the Council consider it to be unsuitable to, and against, the planning policies for the area. The Council therefore request the Secretary of State to uphold the Enforcement Notice, to dismiss the appeal and not to grant planning permission for the unauthorised development.

#### 7. PLANS

1. Plan No.1 indicating the land uses in the area.
2. Plan No.2 showing the appeal site.
3. Hertfordshire County Development Plan.
4. Hertfordshire 1981

Documents and plans referred to in this statement may be inspected at the Town Hall, Hemel Hempstead, during office hours.

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District Secretary

Town Hall,  
Hemel Hempstead.

November 1974

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