



PLANNING STATEMENT

**Runways Farm, Upper Bourne End Lane,
Hemel Hempstead HP1 2RR
for Chiltern Blast Clean**

127 OCTOBER 2023



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1.0 Context

- 1.1.1 The Application Site forms part of Bovingdon Airfield which served as a base for RAF Bomber Command during World War 2 before being handed over to the United States Army Air Forces in 1942. The airfield is currently used for a multitude of different uses including agricultural, commercial and recreational uses.

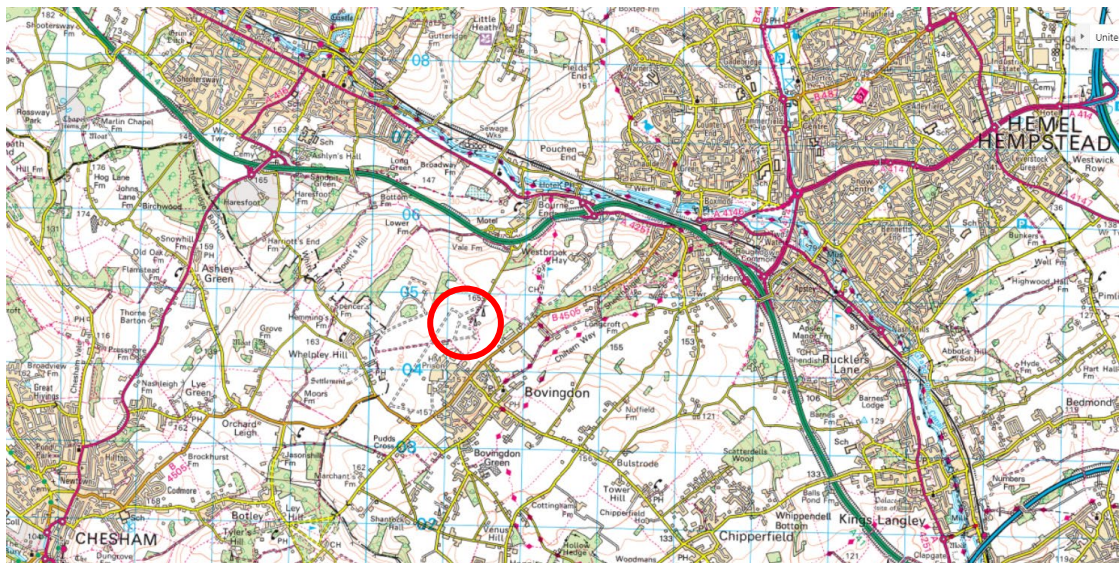


Figure 1 - Location

- 1.1.2 The Application Site is a fenced compound which includes a range of buildings, whilst the proposal is within the compound it takes place on the yard area to the front and not within the buildings.

2.0 Relevant Planning History

- 2.1.1 In 1996 planning permission was granted for “use for general bodywork repairs including sandblasting, welding and painting” (4/0128/96). It is considered that the permission constituted a B2 use.

3.0 Proposal

- 3.1.1 Chiltern Blast Clean (the 1996 applicant) still occupies the yard which was granted permission for general bodywork repairs including sandblasting, welding and painting. Although the business still undertakes sandblasting, welding and painting it has developed away from the repair and restoration of vehicles and now is primarily involved in the treatment of smaller items such as garden furniture, railings and gates, etc. The company employs three people.
- 3.1.2 Part of the outside consented area is sublet to a business who collects tyres locally before forwarding on for recycling. The latter business employs 4 people. Tyres are collected and brought to site in LGVs, typically 12 daily collections Monday to Friday. The tyres are delivered onto the east yard to the left of the gate. The tyres are then baled and stacked on the west yard



to the right of the gate. The tyres are typically stacked no higher than the perimeter fence line. The tyres are collected three times a week by an HGV where they are taken off site to be recycled.

- 3.1.3 The East Yard area extends to 173sqm of which 93sqm was reserved in the former planning permission by condition 4 for staff parking. The reason for the condition was to safeguard and maintain a strategic policies of the local planning authority has expressed in the County Structure Plan and Dacorum Borough Local Plan and in the interests of the amenity of nearby residents and the visual amenity of the area. The nearest house is some 230m away. The level of staff employed by both occupiers of the yard area do not necessitate such a large area for staff parking (refer to Plan 2176/11802/004).
- 3.1.4 The West Yard extends to 164sqm of which 24sqm was reserved in the former planning permission by condition 6 for vehicle, skip, container storage.
- 3.1.5 The businesses located within the compound only operate between 8:30am and 5:30pm Mondays to Fridays and 8:30am to 1:00pm on Saturdays.
- 3.1.6 The Dacorum Enforcement team have invited an application to be made for the change of use of the yard areas to B8 storage use.
- 3.1.7 This Application seeks planning permission for the change of use of part of a compound (extending to 337sqm), which benefits from B2 use, to B8 use for the storage of tyres.

4.0 Planning Policy

- 4.1.1 The current planning policies for Dacorum Borough Council are set out in the statutory development plan which comprises saved policies of the Dacorum Local Plan (adopted 2004) ("Local Plan") and the Adopted Core Strategy (2006-2031) ("Core Strategy").
- 4.1.2 Prior to submitting the first and this Application, informal discussions took place with the Council Officers. Furthermore, consideration was given to the relevant local policies and The National Planning Policy Framework ("NPPF") and where necessary assessment of the alignment of local policies with the NPPF.
- 4.1.3 The Application Site lies within the Green Belt and is also subject to an Article 4 Direction. The following provides an overview of the Proposal against the relevant policy criteria.

4.2 Supporting a Prosperous Rural Economy

- 4.2.1 Paragraph 84 of the NPPF seeks that planning decisions should enable "*the sustainable growth and expansion of all types of business in rural areas*" and the "development and diversification of agricultural and other land-based rural businesses"
- 4.2.2 The compound forms part of Runways Farm which is an arable landholding. The Farm has diversified over the years to generate supplementary income to support the farming enterprise. The tyre business and Chiltern Blast Clean are tenants of the Farm thus a rental income is generated from them for the Farm.



- 4.2.3 Clearly the businesses are already in occupation and the land already has planning permission for a B2 use. Whilst the Proposal is not “growth and expansion” of existing businesses, planning permission for the change of use will enable the continuation of the tyre business from the land.
- 4.2.4 Paragraph 85 of the NPPF states that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. To this avail the proposals should not have an unacceptable impact on the local highways network.
- 4.2.5 Furthermore the use of previously developed land should be encouraged where suitable opportunities exist.
- 4.2.6 Policy 34 of the Local Plan states that “*Established employment generating sites in the Green Belt or the Rural Area which do not cause environmental problems and provide local employment opportunities will be protected from change to nonemployment generating uses unless satisfactory replacement opportunities are provided.*” The operators from the yard hold the necessary licences from the Environment Agency and are not considered to cause any environmental problems. It could be argued that the use of the land for the storage of tyres before they are taken to be recycled actually contributes positively to mitigating environmental problems.
- 4.2.7 It is noted that the Policy 34 also states that “*Where an established employment generating use does not cause environmental problems, new small-scale employment development and redevelopment will be permitted on the following basis:*
- 4.2.8 *(b) In the Green Belt there must be very special circumstances: normally new development/redevelopment will be refused permission.*”
- 4.2.9 The Proposal is simply for the change of use of the land from B2 to B8, it is not for any building or engineering operations. It is contended that the use of the land for storage has no material intensification or greater impact on the Green Belt than that which it already has planning permission for.
- 4.3 Green Belt**
- 4.3.1 The Application Site is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence, as per paragraph 137 of the NPPF.
- 4.3.2 Paragraph 150 of the NPPF states that material changes in the use of land are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purpose of including land within it.
- 4.3.3 Policy CS5 of the Core Strategy states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. Policy CS5 is silent in terms of whether changes of use of land within the Green Belt are appropriate development. Due regard does, however, need to be given to



paragraph 219 of the NPPF which states that although existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF, due weight should be given to them according to their consistency (the closer the policies of the plan to the policies of the Framework, the greater the weight that may be given). On this basis it is considered that greater weight should be given to the NPPF (paragraph 150).

4.3.4 The Application Site forms part of a larger compound which was granted planning permission for B2 use in 1996. The compound is fenced and considered self contained. The planning permission also extended to the change of use of a substantial former agricultural building to the south of the compound.

4.3.5 The change of use of the East and West Yards from B2 use to B8 use is not considered to increase the intensification of the operations from the Application Site. The stacked tyres, whether waiting to be baled or baled do not exceed the height of the perimeter fence.

4.3.6 Footpath Bovingdon 29 runs south of the compound however it is located a considerable distance from the perimeter. The tyre storage will be screened by the building within the compound and therefore limited views, if any, will be achievable from the footpath.

4.3.7 The Proposal has no significant impact on the character and appearance of the countryside.

4.3.8 It is considered that the material changes in the use of the land from B2 to B8 use is not inappropriate in the Green Belt as it has no impact on the openness and does not conflict with the purpose of including land within the Green Belt.

4.4 Highways

4.4.1 The overall Farm is diversified considerably. The tyre operation employs four staff. The vehicle movements associated with the enterprise are;

- 8 car movements (4 for staff arriving in the morning, 4 staff leaving in the afternoon) daily
- Typically 24 LGV (12 existing to pick tyres up and 12 returning to drop tyres off) daily
- 6 HGV movements weekly (3 tyre collections)

4.4.2 In accordance with the NPPF paragraph 111 it is not considered that the Proposal will result in an unacceptable impact on highway safety, or a sever residual cumulative impact on the road network.

5.0 Summary

5.1.1 Planning permission is sought for the change of use of part of a compound (extending to 337sqm), which benefits from B2 use, to B8 use for the storage of tyres.

5.1.2 It is considered that the Proposal does not conflict with local and national planning policy.

5.1.3 It is respectfully requested that planning permission be granted.



6.0 Application Documents

6.1.1 The following provides a summary of the application documents which have been submitted via Planning Portal.

REFERENCE	DOCUMENT TITLE
PP-12562268	Application Form
2176/11802/001	Planning Statement
2176/11802/002	Site Location Plan
2176/11802/003	Block Plan
2176/11802/004	Block Plan with previous planning areas
2176/11802/005	Flood Risk Assessment
2176/11802/006	CIL Questionnaire

Table 1



APPENDIX 1

Photographs



Photograph 1 – East Yard Area



Photograph 2 – West Yard Area



APPENDIX 2

Appeal Decision APP/J1915/W/15/3133859

Appeal Decision

Site visit made on 15 December 2015

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 December 2015

Appeal Ref: APP/J1915/W/15/3133859

East End Green Farm, East End Green, Hertford, SG14 2PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Joseph Rochford Gardens Limited against the decision of East Hertfordshire District Council.
 - The application Ref: 3/15/0277/FUL dated 11 February 2015, was refused by notice dated 8 April 2015.
 - The development proposed is change of use of part of farmyard and 1 No bay of existing building from agriculture to storage (B8) use.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use of part of farmyard and 1 No bay of existing building from agriculture to storage (B8) use at East End Green Farm, East End Green, Hertford, SG14 2PD in accordance with the terms of the application Ref: 3/15/0277/FUL dated 11 February 2015, and the plans submitted with it, subject to the following condition:
 - 1) The site shall be used for the storage and the washing/valeting of cars only and for no other purpose (including any other purpose in Class B8 of the Schedule to the *Town and Country Planning (Use Classes) Order 1987*, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Procedural Matter

2. The appeal seeks to retain development already carried out; namely change of use of part of the farmyard and one bay of an existing farm building for the storage of vehicles awaiting re-sale.

Main Issues

3. I consider the main issues in this case are: a) whether the proposal amounts to inappropriate development in the Green Belt; b) the effect of the proposal on the openness of the Green Belt; c) the effect on the character and appearance of the surrounding countryside; d) the adequacy of the road network and the effect of the proposal on highway safety, and e) if it is inappropriate development, whether harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify the development.

Reasons

4. The appeal site comprises part of a farmyard separated from the original farmhouse. Other converted farm buildings nearby are in residential use. The area proposed for open storage is hard-surfaced and was previously the sheep pen area. The proposed indoor storage area forms part of a large portal frame barn which is otherwise in agricultural use. The site is on the edge of the small hamlet of East End Green within the Metropolitan Green Belt.
5. The yard and part of the barn has been let to a tenant for approximately four years. The tenant uses the land and barn for the storage and washing/valeting of cars prior to selling them to private individuals.

Whether the proposal is inappropriate development in the Green Belt

6. National policy on Green Belt (GB) development is set out in the *National Planning Policy Framework* (the Framework). Paragraphs 87, 89 and 90 should all be read together and consequently, development in the GB is inappropriate (and only permissible under very special circumstances) unless it falls within the closed lists of exceptions set out in paragraphs 89 and 90.
7. Saved Policy GBC1 of the *East Herts Local Plan Review* (LP), April 2007 sets out the presumption against inappropriate development in the GB. Criterion (h) says the re-use and adaptation of rural buildings in accordance with Policies GBC9 and GBC10 may not be inappropriate. These include where the buildings are of permanent and substantial construction, are suitable for conversion, and where the proposed use would be sympathetic to the rural character of the building and its surroundings. I find no conflict between these policies and the Framework in these respects. In accordance with paragraph 90 of the Framework I consider the use of part of the building for storage would not detract from the openness of the GB or the purposes of including land within it. Consequently it does not amount to inappropriate development in the GB and would comply with development plan policy and the Framework.
8. I shall now turn to the open storage area. Although LP Policy GBC9 concerns the adaptation and re-use of rural buildings, it extends to include the use of associated areas, provided it does not result in the creation of visually intrusive hardstandings or significant levels of outdoor working or storage. Saved LP Policy GBC1 says the material change of use of land in the Green Belt will not be inappropriate provided that it maintains openness and does not conflict with the purposes of including land within the Green Belt.
9. The hard standing has previously been used for agricultural purposes, and is not before me. No engineering operations are involved. Rather it is the use of this hard standing to store cars which is at issue. It has historically been used for the parking of tractors and other farm vehicles, and **as such I need to consider to what extent, if any, the storage of cars materially detracts from the openness of the GB, taking the historic use into account.** The area concerned is modest, is contained by existing buildings, and the appellant has stated that the maximum number of vehicles stored at any one time would be no more than 15.
10. **I am satisfied on this basis that the outside storage element would not materially conflict with any of the five purposes of including land in the GB** as set out in paragraph 80 of the Framework, and this does not appear to be

disputed by the Council. With regard to openness, this relates to the absence of buildings and structures rather than any visual impact. Given the historic use of the site, and the potential which exists to revert to the previous use, **I consider that any additional impact on openness arising from the stored cars would be slight.**

11. **I therefore conclude that the development as a whole is not inappropriate development in the GB.** It follows that it is not necessary for me to consider whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development. The question does not arise. Nonetheless, other issues and material considerations need to be considered in the overall balancing exercise, and I shall now address these.

Effect on the character and appearance of the countryside

12. I have considered whether the character and appearance of this part of the GB would be harmed. The commercial car storage use is essentially urban in character, and may be perceived as being at odds with the rural environment. However, given the scale of the operation, its containment by existing buildings, and the fact that views from public vantage points would be limited, I conclude that the proposal would not significantly harm the character and appearance of the surrounding countryside.

Highway Safety

13. The Council's second reason for refusal states that the development would generate additional traffic on narrow rural roads to the detriment of highway safety. Saved LP Policy TR20 says development will not be permitted where increased traffic would have a significant adverse effect on the character of the road or residential properties along it.
14. Additional information has been submitted which sets out that there is an average turnover of 1.5 vehicles per week, and that overall there are less than 10 vehicle trips to and from the site in a typical week made by the sole operator. Therefore, although the approach roads are narrow with few passing places, I share the (revised) views of the Highway Authority that the proposal is unlikely to have a severe impact on highway safety and the free and safe flow of traffic on the public highways. As such, I find no conflict with saved LP Policy TR20.

Other Matters

15. Paragraph 28 of the Framework supports economic growth in rural areas in order to create jobs and prosperity, and saved LP Policy GBC8 encourages farm diversification. The appellant says the storage use will secure additional income which is essential for the sustainability of the agricultural operation. Even though the business is low key and the economic benefits modest, this factor adds weight in favour of the scheme.
16. Although this issue has not been raised by the Council, the site lies within a Conservation Area (CA) and I am required to pay special attention to the to the desirability of preserving or enhancing the character or appearance of the CA in accordance with Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*. Overall, given the modest scale and containment of the proposed use within a farm complex, I am satisfied that the

essential character and appearance of this part of the East End Green Conservation Area would be preserved.

Conditions

17. I have considered the conditions put forward by the Council in the light of the advice in paragraphs 203-206 the Framework and the Government's *Planning Practice Guidance* (PPG). As the development has already taken place the standard condition requiring it to commence within 3 years is not necessary. The condition requesting details of a parking layout for 10 parking spaces has not been adequately justified, and the laying out of marked bays would serve no useful planning purpose in my view. The restriction to 10 vehicles implied by this condition would also be unreasonable and difficult to enforce. The site is small in area and to that extent self-regulating in terms of the numbers of vehicles it can accommodate.
18. Nor is the suggested condition restricting the area of storage to the appeal site necessary or justified. Any enlargement of the area shown on the approved plans, would, in any event, require further planning permission. However, for the avoidance of doubt, I shall impose an additional condition restricting the permitted storage use to cars only. As a consequence, any other use within Class B8 (which could potentially have a greater impact on the openness of the GB and surrounding rural area) would also require planning permission.

Conclusion

19. Therefore, for the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Nigel Harrison

INSPECTOR

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