

**Bovingdon Action Group (BAG)**

**Planning reference: 4/03082/16/ROC**

**Bovingdon Action Group's response to Planning reference:  
4/03082/16/ROC**

Location:

LAND AT RUNWAYS FARM, BOVINGDON AIRFIELD, UPPER BOURNE END LANE, HEMEL  
HEMPSTEAD, HP1 2RR

Proposal:

REMOVAL OF CONDITION 1 (TWO-YEAR TEMPORARY PLANNING PERMISSION) OF PLANNING  
INSPECTORATE DECISION (APP/A1910/C/14/223612) APPEAL OF PLANNING APPLICATION  
4/00435/14/ENA (MOTORCYCLE/MOTOR VEHICLE ACTIVITIES AND ASSOCIATED  
STORAGE/PARKING)

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### **Decision:**

**Bovingdon Action Group (BAG) strongly objects to this application based on the grounds of the continued noise nuisance and negative impact this has on residents in the surrounding areas.**

**The Inspector was very clear that if this noise nuisance could not be prevented within the two year trial period then the activities should cease.**

### **Introduction:**

This document is aimed to provide Dacorum Borough Council with a summary of points that BAG feel need to be considered whilst determining the outcome of this application.

In addition, based on the noise continuing with little improvement, BAG commissioned an independent investigation and report (attached AS9100.160912.R2.0) from a leading motorsport noise expert (Clarke Saunders). The aim was to help residents understand why they were still being impacted by the noise and what was missing / required that should have been implemented during the two year trial to demonstrate the noise nuisance could be appropriately managed.

The report concludes that the noise disturbance from the site is not adequately monitored or controlled and offers a number of areas for improvements, which again were expected to have been implemented during the two year trial period but have not. The findings of the investigation are attached

### **Points for Dacorum Borough Council to consider:**

#### **Duration:**

Residents have had to endure this noise nuisance now from Runways Farm for 5 years when unauthorized drifting started to take place on Runways Farm.

Residents have had to endure a two year two year trial based on the outcome of the Inspectors decision. Residents expected, and to a degree had assurances that, the noise could be controlled, which has simply not materialised.

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### The noise / levels:

- The nuisance is tyre screech and high power engine noise.
- Causes irritation / stress along with the loss of amenity.
- The noise is random / sporadic - no idea of what and when.
- The only guarantee of some quiet is Saturdays pm / Sundays and Bank holidays.
- The only noticeable improvements since the appeal has been Saturday PM, Sundays and Bank holidays when the cars are not allowed to operate.
- It is the nature of the noise which is out of character with the environment and causes nuisance and stress. Some people describe the tyre screech as feeling like an accident waiting to happen.

This was also clearly noted by the Inspectorate in his report – extracts pasted below

27. What is apparent to me is that it is not just the loudness of the noise that makes it annoying to residents, but the characteristics and repetitive nature. In the afternoon I was aware of the accelerating car with what seemed to me to be a 'distant' fairly high pitched noise, followed by an equally distinguishable distant 'hollow' reverberating noise from the exhaust as the car was throttled back. This was sometimes accompanied by the squealing of tyres. While not necessarily recording as a loud noise, it attracted attention. In my view the noise report, while not doubting its veracity, does not seem to place enough weight on these important noise characteristics and the effect they have on listeners. This is important as it is these which are noticeable and if repeated could become annoying even at the low sound levels that I perceived on my visit, as also demonstrated by the residents' complaints. The same effect was not experienced by the revving, accelerating and decelerating police cars, which seemed to be much more effectively silenced.

- The wind direction and wind strength has a major impact on who receives the noise nuisance. Details of this can be found in the Clarke Saunders report. On a still/ day / light wind the noise nuisance can still be heard even with the wind blowing in an opposite direction.

### The Trial period:

- Little improvement has been noted during this period and residents have had to endure another two years of noise nuisance. During some days the noise is worse than before the two year trial.
- Residents understood that the 2 years was a trial period to try and reduce / remove the noise so it would not be a nuisance, unfortunately the noise nuisance continues.
- Tyre screeching is as bad as ever. Assurances were given at the appeal that track surfaces would be watered and made adequately and continually wet so as to help reduce the noise (also stated in management plan). Drifting originally took place on the "Circuit" and it was questioned then if adequate watering facilities were in place. Drifting has since moved on to the runway (top and bottom half) where it is questioned (based on tyre noise / tyre smoke / witnesses) if the surface is being made wet and considering the scale of the area if this was/is even practical.

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- It should be noted that even when the surface is wet it does not remove the noise nuisance – as demonstrated on days when it is raining and can still be clearly heard and remains a nuisance.
- Tyre screech is primarily from the drifting but also from the cars running on the Circuit.
- Residents understood that the applicant and operators would be working with DBC and residents to continually make adjustments in measurements, to levels and make changes in line with complaints. To the best of our knowledge there has been little to no engagement since the management plan to understand the true impact that residents are facing and make the necessary adjustments.

This was also clearly noted by the Inspectorate in his report – extracts pasted below

42. Overall this seems to me a situation where it is appropriate that a trial run be allowed for a two year period, in which time the operations can be modified to prevent noise nuisance to neighbouring occupiers, the ancillary facilities rearranged to reduce impact on openness and the character and appearance of the surrounding area, and reasonable protection provided adjacent to the footpaths. If this cannot be agreed/achieved in that time, then it is reasonable that at the end of that trial run the use should cease.

- As noted by the inspector (pasted below) what is being experienced on the site is not the same as experienced by neighbours. The emphasis from the operator, with respect to noise nuisance control, looks to have been purely focused on an initial noise threshold with little engagement / understanding on what the true impact / nuisance is to residents.

21. The appellant's expert has undertaken a detailed survey of the site and its use for acoustic purposes. While some concern was raised about this, I am satisfied that a professional approach has been taken by someone with appropriate expertise. The methodology itself was not challenged, and while there is some concern that the World Health Authority information was used for the assessment, I am satisfied that was not an unreasonable or unprofessional approach and generally acknowledge the findings. However, what is clear, is that the conclusion of the likely impact of the increased noise from the site use, with that actually experienced by neighbours does not equate, particularly in relation to tyre squeal and revving.

- With respect, the approach taken to justify the noise having been reduced looks to be about avoiding the noise from triggering the noise monitoring equipment by keeping away from the microphones to claim compliance, rather than understanding how residents are impacted and providing an effective plan for addressing this.

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- It is understood that the applicant / operator is claiming that they are not making the noise but it's other external parties such as farm machinery or the Police. This could be very true but the difference being that these activities take place in the location of the only two microphones.
- The noise is clearly being created by the operators at Runways Farm as witnessed by residents.
- It has to be questioned how accurate the schedule of events provided in advance aligns to the actual activity that took place when comparing / aligning noise complaints.
- BAG are not aware of any changes to noise levels / setting changes in line with complaints.

#### **Compliance to the management plan:**

- Assurances were given at the appeal that the surface would be made wet for drifting which was a key part of the appeal and consent for the two year trial. Evidence would suggest that the surface is not being made wet and if / when it is, not sufficiently to make any difference.
- On a number of times the activities have overrun, in particular on Saturdays.

#### **The complaints:**

- It may be claimed that as the noise complaints have reduced then there has been improvements - but it should be noted residents do not expect to have to, and should not be expected to, complain every time there is a noise nuisance, investing time completing noise diaries for two years. Some have continued to help try and address the noise nuisance with diaries but others made their views known at the appeal, and some have given up but are still expecting this to be addressed and the noise to be managed.
- The noise nuisance will impact residents differently from their noise tolerance, lifestyle and when and where they are at a particular time.
- Some residents are reporting they are having to go out to avoid the noise.
- In the spring / summer it's expected activity will increase and naturally more residents are impacted when trying to enjoy their properties with windows and doors open or whilst seeking the peaceful enjoyment of their gardens, which sadly they can no longer enjoy.

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### Other:

- Some consideration / weight may be given to the benefit for Bovingdon but considering the directions by Drift limits are off the A41, why would customers drive 5 miles out of their way to visit Bovingdon one would have to assume a majority would simply use the A41.

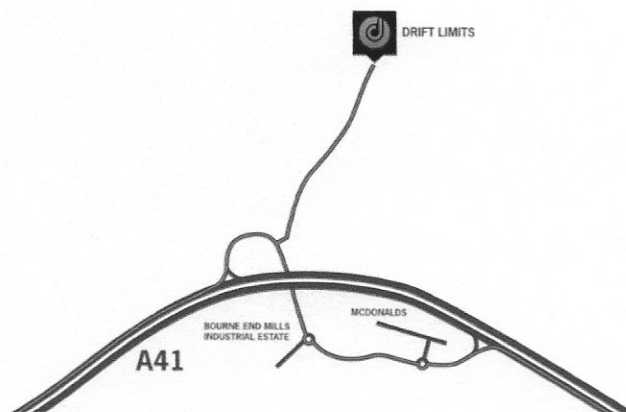
Extract from Drift limits web site – directions (avoid navigation systems as there will take you to Bovingdon)

Our site can only be accessed by one entrance, which is off of the A41 at Bourne End Mills Industrial Estate. Please take a look at the map and directions below prior your visit to ensure you arrive on time at the correct location.

If you have any queries on how to get here then please feel free to [get in touch](#) and we will be more than happy to help.

Some satellite navigation systems will take you to the wrong entrance so please read this page before you visit.

**Bovingdon Airfield**  
**Upper Bourne End Lane**  
**Hemel Hempstead**  
**Hertfordshire**  
**HP1 2RR**



- The site could be used for other activities which at the same time could be a lot less harmful to the environment and one the local community could embrace. This has already been demonstrated with the planning request for a cycling event, auto jumbles etc.

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### The Inspectors report:

- The Inspectorate granted a two year trial based on a management plan agreed by DBC “at which time the operations can be modified to prevent noise nuisance to neighbouring occupiers” (42)
  - The Inspector clearly recognised the unacceptable noise impact to residents (21 / 27 / 28)
    - Restricted weekends (except Saturday mornings) and Bank holidays (41)
  - The Inspector understood and noted the noise nuisance was caused more by the characteristics as to the level of noise (21 / 27)
    - What is occurring on the track is not what is being experienced by residents and the annoying characteristics
  - The Inspector highlights his concerns on the reliance of theoretical impact predictions along with what is occurring on the track is not what is being experienced by residents and the annoying characteristics (41)
  - The Inspector stated that the current uses are causing unacceptable disturbance and unless they can be controlled by the conditions proposed the use should cease (47)
  - The Inspector noted if it is not possible for the activities to be conducted with acceptable noise characteristics in relation to engine revving and tyre squeal these should not be allowed to continue (40)
  - The Inspector stated that if the noise nuisance cannot be agreed/achieved within the 2 years, then at the end of the trial run the use should cease (42)
21. The appellant’s expert has undertaken a detailed survey of the site and its use for acoustic purposes. While some concern was raised about this, I am satisfied that a professional approach has been taken by someone with appropriate expertise. The methodology itself was not challenged, and while there is some concern that the World Health Authority information was used for the assessment, I am satisfied that was not an unreasonable or unprofessional approach and generally acknowledge the findings. However, what is clear, is that the conclusion of the likely impact of the increased noise from the site use, with that actually experienced by neighbours does not equate, particularly in relation to tyre squeal and revving.
28. I conclude on the main issue that there is currently a noise nuisance, caused by squealing tyres and to some extent engines revving, that results in unacceptable harm to the living conditions of nearby residents.

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40. In my view it is not the principle of motor use, but the way that the use occurs which is causing the concern. If it is not possible for the activities at the site to be conducted with acceptable noise characteristic in relation to engine revving and tyre squeal, these should not be allowed to continue. The appellants
41. The acoustic consultant also indicated that acceptable noise levels could be set at the track side and permanent monitoring undertaken to ensure that these are complied with and the cars can be altered to make them quieter. In principle I consider this to be a good approach, but in practice I have concerns that any reliance on the theoretical impact prediction is unlikely to be satisfactory, bearing in mind the predictions of impact in the acoustic study. This is a situation where what is occurring on the track has to be related to what is being experienced by neighbours and the impact of the noise with the current annoying characteristics eliminated at these receptors. The situation will be helped by ensuring that there cannot be any annoyance at inappropriate times by applying timing conditions for hours of use with prevention on Sundays and Bank Holidays.
42. Overall this seems to me a situation where it is appropriate that a trial run be allowed for a two year period, in which time the operations can be modified to prevent noise nuisance to neighbouring occupiers, the ancillary facilities rearranged to reduce impact on openness and the character and appearance of the surrounding area, and reasonable protection provided adjacent to the footpaths. If this cannot be agreed/achieved in that time, then it is reasonable that at the end of that trial run the use should cease.
47. I have concluded that in principle some form of motor uses have been, currently are and, in my view, could continue to be suitable at the site. However, the way the current uses are operating is causing unacceptable disturbance, and unless these can be controlled by the conditions proposed, I consider the use should cease. I consider that in this situation it is appropriate to have a 'trial run' and an appropriate timescale would be 2 years.