



# PLANNING

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MR R E MARGRAVE  
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/00122/99/FUL

ADJ., LOUISE WALK, GREEN LANE, BOVINGDON, HEMEL HEMPSTEAD, HERTS  
SITING OF MOBILE HOME

Your application for full planning permission dated 20 January 1999 and received on 21 January 1999 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 26 February 1999

**REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/00122/99/FUL**

Date of Decision: 26 February 1999

1. The site is located within the Metropolitan Green Belt in the adopted Dacorum Borough Local Plan and in the Dacorum Borough Local Plan 1991-2011 Deposit Draft, planning permission will only be granted for appropriate development, in accordance with national advice contained in Department of the Environment Planning Policy Guidance Note No. 2 - Green Belts, Policy 3 of the adopted Local Plan and Policy 3 of the Deposit Draft. 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. Furthermore, the proposed siting of the mobile home would be harmful to the open character and appearance of the Green Belt.

LK



# The Planning Inspectorate

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*Your reference*

*Our reference*

T/APP/A1910/A/99/1020201/P8

*Date* 30 JUL 1999

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR R E MARGREAVE  
APPLICATION NO: 4/00122/99/FUL

1. I have been appointed by the Secretary of State for the Environment, Transport and the Regions to determine your client's appeal against the decision of Dacorum Borough Council to refuse planning permission for the siting of a mobile home at land off Louise Walk, Green Lane, Bovington. I have considered the written representations made together with all the other material submitted to me. I inspected the site on 6 July 1999.

2. From my inspection of the site and its surroundings, and from my consideration of the representations made, I consider the main issue to be whether the proposal is inappropriate development in the Green Belt and, if so, whether there are any very special circumstances sufficient to overcome the presumption against such development.

3. The development plan includes the Hertfordshire Structure Plan Review 1991-2011 and the Dacorum Borough Local Plan (1995). The Structure Plan contains policy 1 which seeks to ensure that new development meets sustainable criteria; and policy 5 which defines a Green Belt in this area. The Local Plan contains policy 2 which seeks to ensure that development in the larger villages is compatible with their character. Policy 3 indicates that there is a presumption against built development in the Green Belt and that a very limited number of uses are generally acceptable, including agriculture and other uses appropriate to a rural area. Policy 8 seeks a high standard in all new developments. The Local Plan is currently under review and the Deposit Draft was published in November 1998. Relevant policies include 2, 3 and 9 which have the same objectives as the policies in the adopted plan referred to above. The thrust of the policies in the development plan and the emerging local plan is consistent with national advice contained in Planning Policy Guidance Note 2 *Green Belts* (PPG2).

4. Local policy and national guidance does not specifically list equestrian activities as an appropriate use in the Green Belt. However the stables have existed in this location for

some years and the Council have issued a Lawful Use Certificate for them. Appendix F to PPG7 *The Countryside – Environmental Quality and Economic and Social Development* seeks a positive approach to development for horses to ensure that they are well cared for whilst recognising the need to respect the nature of their surroundings. In this respect the use may be considered to be a generally open activity appropriate to a rural area in accord with policy 3 of the adopted local plan.

5. Your client seeks the stationing of a mobile home on the premises to provide 24 hour supervision of some 8 valuable and highly trained horses. There is a presumption against housing in the Green Belt unless it can be shown to be associated with, and be essential to, the operation of an appropriate use. There is nothing in local or national guidance which addresses the possibility of dwellings in association with equestrian uses in the Green Belt. You have suggested that the mobile home should be considered on the same basis as an agricultural workers dwelling and I believe that there is merit in such an approach. PPG7 advises that mobile homes should only be granted permission where there is both a functional and financial need for a dwelling on the land and the advice in Annex I relating to agricultural and forestry dwellings provides a means of assessing the proposal.

6. You have indicated that the equestrian use involves the keeping of up to eight horses which are specially trained for use in competitive carriage driving. They are exercised and schooled on the adjacent land to bring them up to international standard. In addition there is a considerable investment in equipment which is kept at the site. You have indicated that the horses need 24 hour supervision and letters in support of this have been submitted from the British Horse Driving Trials Association and the your client's veterinary surgeon. In view of the type and number of horses kept on site, and the incidences of trespass which have occurred, I consider that there is a functional need for someone to live on, or very close to, the appeal site in the interests of the welfare of the animals.

7. Your client has lived in Foxmeadow adjacent to the site and at Wood Lea a short distance away and it appears that they were suitable to provide the necessary care and supervision for the horses. The site lies close to a considerable area of housing and although I recognise your client's personal circumstances it would appear that there would be the possibility of other dwellings being available nearby which would provide a similar level of supervision.

8. Although you have suggested that a hobby rather than a business would be sufficient to justify a dwelling, I do not consider this to be appropriate and it is not in line with national advice. There needs to be both a functional need and an economic justification for someone to live on site. The fact that the mobile home would not be obtrusive in view of the adjacent vegetation and buildings is not a good argument as it could be repeated too often. New dwellings in the countryside are strictly controlled and this is particularly so in the Green Belt. In the present case you have indicated that there is a considerable investment in stock and equipment but no information has been submitted to indicate whether the business has a sound financial basis.

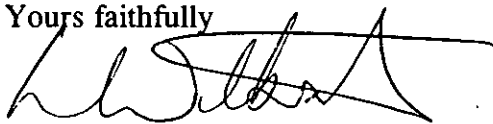
9. I find there to be no overriding functional need or financial justification for the mobile home. I conclude therefore on the main issue that the proposal constitutes

inappropriate development in the Green Belt and there are no very special circumstances which are sufficient to overcome the presumption against the development.

10. I have also had regard to the appeal decisions at Keysoe and Welwyn Garden City which you have referred me to but these cases are not directly comparable and neither related to land within the Green Belt. I have also taken into account all the other matters raised in the written representations, but none of these are of such significance as to outweigh the considerations which have led to my conclusions on the main issue.

11. For the above reasons and in exercise of the powers transferred to me, I hereby dismiss your client's appeal.

Yours faithfully



L WILBRAHAM Dip TP MRTPI  
Inspector