



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0245/94

H Mulholland
Greinan Farm
Tower Hill
Chipperfield
HERTS WD4 9LU

Quartley Hodges Hood
6 Fore Street
Trowbridge
Wilts
BA14 8HD

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Greinan Farm, Chipperfield Road, Bovingdon

USE OF LAND FOR RIDING AND LIVERY CENTRE. ERECTION OF INDOOR RIDING SCHOOL AND DWELLING. ALTERATIONS TO ACCESS AND PROVISION OF PARKING FACILITIES.(MODIFIED SCHEME)

Your application for *full planning permission* dated 15.02.1994 and received on 21.02.1994 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

Director of Planning.

Date of Decision: 12.04.1994

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/0245/94

Date of Decision: 12.04.1994

1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

2. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendments thereto, there shall be no extension, alteration or addition to the dwelling hereby permitted without the express written permission of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of residential and visual amenity.

3. No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.

Reason: To ensure a satisfactory appearance.

4. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation, and for the purposes of this condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.

Reason: To maintain and enhance visual amenity.

5. For the avoidance of doubt the approved details of landscaping comprise Drawing A754-6B LA Ref 4/0245/94FL and the stock size schedule set out in the letter from Quartley Hodges Hood dated 7 March 1994 and received by the local planning authority on 8 March 1994.

Reason: For the avoidance of doubt.

/Continued,



CONDITIONS APPLICABLE
TO APPLICATION: 4/0245/94

Date of Decision: 12.04.1994

6. The permission hereby granted is an alternative to and not in addition to, either wholly or in part the following:

<u>Ref No</u>	<u>Development</u>	<u>Date of Permission</u>
4/0092/930L	Replacement Dwelling (outline)	22.02.93

No part of the development referred to in these permissions shall be carried out if any part of the development hereby permitted has been implemented.

Reason: For the avoidance of doubt.

7. The total number of equestrian events held at the site shall not exceed 12 in any calendar year.

Reason: In the interests of amenity.

8. No external loudspeaker system shall be installed or used.

Reason: In the interests of amenity.

9. The outdoor manege shall not be floodlit.

Reason: In the interests of amenity.

10. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working or last working at the Equestrian Centre at Greinan Farm or a widow or widower of such a person and to any resident dependants.

Reason: In order that the local planning authority may retain control over further development in the interests of residential and visual amenity.

11. The developer shall construct the crossover to standards set out in the current edition of Hertfordshire County Council's "Specification for the Construction of Residential Estate Roads" and the development shall not be brought into use until the access is so constructed.

Reason: In the interests of highways safety.

/Continued,



CONDITIONS APPLICABLE
TO APPLICATION: 4/0245/94

Date of Decision: 12.04.1994

12. The use hereby permitted shall not be brought into use until the new access has been formed and the existing access has been closed and the kerbs and footway/verge reinstated to the standards set out in the current edition of Hertfordshire County Council's "Specification for the Construction of Residential Estate Roads".

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

13. Notwithstanding the details provided on the approved plans, all horses engaged in hacking shall enter and leave the site via Flaunden Lane.

Reason: In the interests of highways safety.

14. No work shall be started on the development hereby permitted until details of the car park surfacing materials shall have been submitted to and approved by the local planning authority and the development hereby permitted shall be carried out in the materials so approved.

Reason: To ensure a satisfactory appearance.

15. Riding lessons and instructional group courses shall only take place between the hours of 9.00 am and 8.00 pm.

Reason: In the interests of amenity.

16. For the first year of operation, equestrian events referred to in Condition 7 shall only take place between the hours of 9.00 am and 10.00 pm. At the expiration of this period, these events shall only take place between the hours of 9.00 am and 7.00 pm or such other hours as may be agreed in writing by the local planning authority.

Reason: To enable the local planning authority to retain control over the development and in the interests of the amenity of occupants of nearby and adjacent properties.



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Quartley Hodges Hood
Chartered Architect & Chartered
Surveyors
The Old Bookshop
6 Fore Street
Trowbridge
Wiltshire BA14 8HD

Your Ref:
754/DJH
Our Ref:
T/APP/A1910/A/94/243071/P5

Date:

DACION		DEPARTMENT	
DACION		DACION	
-2 FEB 1995		-2 FEB 1995	
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TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6 APPEAL BY HELEN MULHOLLAND APPLICATION NO: 4/0245/94			

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY HELEN MULHOLLAND
APPLICATION NO: 4/0245/94

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to grant planning permission subject to conditions on an application for the use of land for riding and livery centre; erection of indoor riding school and dwelling; alterations to access and provision of parking facilities at Greinan Farm, Chipperfield Road, Tower Hill, Chipperfield. I have considered the written representations made by you and by the Council and also those made by Bovingdon and Chipperfield Parish Councils. I inspected the site on 24 January 1995.
2. The condition in dispute is No 10 which provides that the occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working or last working at the Equestrian Centre at Greinan Farm or a widow or widower of such a person and any resident dependants.
3. The reason for the condition is in order that the local planning authority may retain control over further development in the interests of residential and visual amenity.
4. From my inspection of the appeal site and its surroundings, and from the representations made, I consider that the main issue in this case is whether the erection of a dwelling in this location, without the condition relating to occupancy, would conflict with the Council's policies in relation to development in the green belt.
5. The development plan for the area comprises the Hertfordshire County Structure Plan, which was 'rolled forward' by the Alterations approved in 1992, and the Dacorum District Plan, adopted in 1984. The Dacorum Borough Local Plan is at an advanced stage having been subject to two Public

Local Inquiries, modified following the Inspector's report, and is expected to be adopted shortly.

6. Policy 1 of the Structure Plan defines the Green Belt and indicates that permission will not be given for development other than for specified purposes, in line with the advice in Planning Policy Guidance Note (PPG) 2. A similar policy is included in the Dacorum District Plan but a further policy indicates that planning permission for replacement dwellings within a group of dwellings which is likely to remain will be permitted, although the new dwelling should be of similar size to that which it replaces, and should not be more intrusive in the landscape. A similar but more detailed policy is included in the emerging Local Plan.

7. The appeal site was formerly a pig farm but is currently being developed as a riding and livery centre, in accordance with the planning permission granted. Prior to this outline planning permission had been granted for an agricultural dwelling to replace an existing dwelling. This was originally granted subject to an agricultural occupancy condition but the then owners appealed against the condition; the appeal was allowed and planning permission granted subject to conditions restricting the habitable floor area to 200 sq m, a restriction of permitted development rights, and a requirement that the existing dwelling be removed.

8. Whilst the appeal site was previously in agricultural use, and the development now being implemented is a rural use, on either side of the site there are residential properties. To the north-west is a ribbon of semi-detached houses, and to the south-east is a smaller group of cottages. It was the view of the Inspector who determined the previous appeal that a replacement dwelling in this location would come within the provisions of Policy 6 of the Dacorum District Plan. He was considering an outline application, with the location of the dwelling indicated as further back on the site than now proposed, and the floor area was restricted by condition to 200 sq m. The dwelling now proposed is slightly larger than this but I do not consider the proposals to be materially different.

9. The Dacorum District Plan is still the adopted local plan for the area but the emerging plan must now be given considerable weight. However this includes a similar policy in respect of replacement dwellings. I consider that there has been no significant change in policy since the previous appeal was determined, and it is therefore appropriate to consider this as a replacement dwelling, in accordance with the Council's policies.

10. The Council express concern that, if the dwelling were to be sold off separately, there could be pressure for a further dwelling to provide supervision for the horses. I understand their concern in this matter. However, the dwelling has been sited as an integral part of the development, close to the

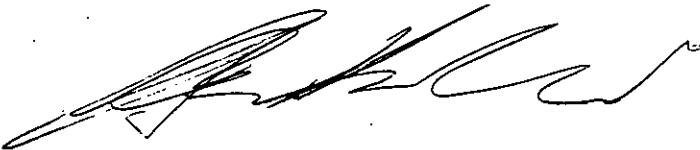
stables and indoor riding school, and I consider it unlikely that such a location would be regarded as an attractive living environment for anyone not involved in the equestrian centre. Also, the Council would be able to take into account the existence of this dwelling in considering any proposal for an additional dwelling to serve the equestrian centre. I do not therefore consider that this is justification for imposing an occupancy condition on a dwelling which is in conformity with the Council's policies for replacement dwellings.

11. I have taken into account all other matters raised but none of these are of sufficient importance to outweigh the material considerations which have led me to my decision.

12. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and vary the planning permission (No 4/0245/94) for the use of land for riding and livery centre; erection of indoor riding school and dwelling; alterations to access and provision of parking facilities at Greinan Farm, Chipperfield Road, Tower Hill, Chipperfield granted on 12 April 1994 by the Dacorum Borough Council by deleting condition No 10.

13. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully



B A Whitbread DipTP MSocSci MRTPI
Inspector