



TOWN AND COUNTRY PLANNING ACT 1990  
**PLANNING DECISION NOTICE – PERMISSION**

**S6/2009/2556/MA**

**CHANGE OF USE TO EQUESTRIAN WITH ASSOCIATED MENAGE, RIDES AND  
LANDSCAPING**

**at: LAND EAST OF HORNBEAM LANE (SPIKE ISLAND) BROOKMANS PARK  
HATFIELD**

**Agent Name And Address**

MR T NORTHEY  
SAVILLS (L&P) LTD  
23 FURZTON LAKE  
FURSTON  
SHIRWELL CRESCENT  
MILTON KEYNES  
MK4 1GA

**Applicant Name And Address**

ROSE LTD REPRESENTED BY FARRET & CO  
C/O AGENT

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby **PERMIT** the development proposed by you in your application received with sufficient particulars on 20/11/2009 and shown on the plan(s) accompanying such application, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:** In order to comply with Section 91 of the Town and Country Planning Act (As amended)

2. The development/works shall not be started and completed other than in accordance with the approved plans and details B09018.04A & 541/LP2 received and dated 20 November 2009 unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

3. No removal of trees, scrub or hedges, shall be carried out on site between the 1st March and the 31st August inclusive in any year, unless searched before hand by a suitable qualified ornithologist..

**REASON:** To protect nesting birds from disturbance under the Wildlife and Countryside Act 1981 (As amended) and PPS9 Biodiversity and Geological Conservation.

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4. No external lighting shall be installed within the site

REASON: The site is within the Green Belt wherein lighting would be likely to have a detrimental impact on the character of the countryside and existing ecology within and adjacent to the site which is likely to be an important habitat for biodiversity and might be adversely affected by light pollution in sensitive areas in accordance with PPG2: Green Belts, PPS9: Biodiversity and Geological Conservation and the Wildlife and Countryside Act 1981 (As amended).

5. No development shall take place until full details on a suitably scaled plan of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

b) means of enclosure and boundary treatments

e) hard surfacing, other hard landscape features and materials

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005

6. Notwithstanding the landscaping details that have been submitted with the application, prior to the commencement of the development hereby permitted details shall be submitted showing amendments to the landscape plan, to vary the planting and enhance the landscape and biodiversity value of the site, to the Local Planning Authority for approval in writing. The development shall not be carried out other than in accordance with the approved details.

REASON: The landscaping of the site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with policy D8 and R11 of the Welwyn Hatfield District Plan 2005.

7. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

8. Prior to the commencement of the development hereby permitted, a detailed scheme

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for the storage and disposal of waste and manure shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from contamination to the users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite in accordance with policies R2 and R7 of the Welwyn Hatfield District Plan 2005.

9. The use hereby permitted and associated ménage and rides shall only be in conjunction with the residential development and stable block approved under planning application S6/2009/2574/FP and shall not at any time be used for commercial livery or riding school purposes.

REASON: To restrict the use of the building to one compatible with the local are and to minimise the intensity of use of the site in accordance with PPG2: Green Belts and policy RA24 of the Welwyn Hatfield District Plan 2005.

10. Prior to the commencement of the development hereby permitted, details shall be submitted to the Local Planning Authority for approval in writing, showing easement details that give legal rights for vehicular traffic to travel along the Public Bridleway (Hornbeam Lane).

REASON: To ensure that there is a legal right of access for vehicular traffic in accordance with Countryside and Rights of Way Act 2000.

## REASONS FOR APPROVAL

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2, PPS9 and PPG13 , SS1, T14, ENV7, ENV2 and ENV3 of the East of England Plan 2008 and development plan policies SD1, GBSP1, R11, R15, R20, M14, D1, D2, D8, RA10, RA15, RA21, RA24, RA25, RA26 and RA28 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

## INFORMATIVES

1. No manure shall be burnt on site.
2. Investigation of the bridge along the Public Bridleway should be undertaken to determine its structural soundness prior to commencement of development. A survey to determine the weight and vehicle movement capacity of the bridge should also be undertaken. Details should be submitted to Hertfordshire County Council, Rights of Way department.

**Date:** 21/01/2010

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Tracy Harvey  
Head of Development Control