

acorus®

# Change of Use of Land for Dog Walking and Exercising

PREPARED FOR

Miss O Lepine

March 2024

PREPARED BY

**Henry Doble MRICS**
**Acorus Rural Property Services Ltd**
**Old Market Office**
**10 Risbygate Street**
**Bury St Edmunds**
**Suffolk, IP33 3AA**

DIRECT LINE:

[redacted]

EMAIL.

[redacted]

## 1. INTRODUCTION

This report has been prepared on behalf of Miss O Lepine to outline the facts considered relevant for the proposed change of use of an agricultural field for the walking and exercising of dogs at Land of Kent Street.

## 2. BACKGROUND

The land of Kent Street has been used historically for grazing of livestock, and in connection with an adjacent poultry farm. The poultry farm is no longer in operation, with the subject site having been lotted into plots and sold for alternative uses. Given the scale of the holding it is not feasible for it to operate as an agricultural business. As a result, alternative uses of the land are sought.

This is a re-application, with the previous application DC/24/1492 refused for the following reason;

1 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

## 3. PROPOSAL

The applicant is proposing changing the use of the land, 0.68 hectares (1.68 acres) to a dog exercise field.

No infrastructure would be required as existing fencing and hard standing for parking can be utilised.

Since the COVID pandemic, dog ownership has increased significantly with many first-time dog owners uncomfortable with their dogs mixing with other dogs and puppies requiring safe secure training areas. Some dogs are reactive to other dogs, which means they are nervous in the company of other dogs and other environmental challenges. This in turn has led to a rising need for safe, secure exercise areas where there are fewer distractions.

Furthermore, a limited number of safe places are available where dogs can be released off the lead to exercise safely. The exclusive use of the field will give customers space and peace of

mind knowing that they will not meet other dogs and provide a quiet environment for training. The location is close to the village of Cowfold and not far from the expanding town of Burgess Hill.

The perimeter of the field is already fenced with suitable fencing. Customers access the car parking area via a gate which is padlocked (coded) and secured by customers on entry to prevent their dogs escaping. The code is provided via a website when booking a suitable time slot. The field will be available to dog owners/walkers on a 25 minute or 55-minute basis by booking online. The site will be available from dawn to dusk.

With more people owning dogs, there is an increasing need for dog walking services and the proposed use would enable a professional dog walker or trainer to exercise/train a number of dogs at any one time without the risk of dogs escaping or annoying other dog walkers.

A small car parking area within the site will utilise the existing hard standing, adjacent to existing buildings, large enough for the parking of vehicles with turning. Access will allow all cars to leave in forward gear.

The onus will be put on customers to be responsible for clearing up any mess, and taking it away from the site.

The applicants could currently use the field as a dog walking facility for up to 28 days as permitted development without planning permission and with no control over the number of dogs on the land. However, they wish to apply for planning permission to provide an identified all-year round facility.

## 4. PLANNING POLICY

National planning policy is contained within the NPPF as follows:-

*"The purpose of the planning system is to contribute to the achievement of sustainable development.*

*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a)* ***an economic objective*** *– to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

b) ***a social objective*** *– to support, strong vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and*

c) ***an environmental objective*** *– to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

**Paragraph 10** states that *"So that sustainable development is pursued in a positive way, at the heart of the Framework is a* ***presumption in favour of sustainable development*** *(paragraph 11).*

**Paragraphs 83 and 84** provide policy on supporting a prosperous rural economy as follows:-

*Planning policies and decisions should enable:-*

a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well designed new buildings;*

b) *the development and diversification of agricultural and other land based rural businesses;*

c) *sustainable rural tourism and leisure developments which respect the character of the countryside; and*

d) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

*Planning policies and 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. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location by sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well related to existing settlements, should be encouraged where opportunities exist.*

Individual customers and very small groups will have exclusive use of the field and will be able to

walk dogs at any one time. Time slots are on a 25-minute or 55-minute basis.

Existing access to the field will be utilised, this is already an existing agricultural field access.

National planning policy are supportive of diversification and sustainable development and this proposal scores highly on both counts.

The proposal is for a change of use only. Therefore, there would be no adverse impact on the character of the surrounding area, indeed the proposal would maintain the natural environment and landscape. The proposal is therefore of a use and scale that relates well to the setting of the existing farm.

It is likely that local dog owners will make good use of the field as it provides the local community with an exclusive facility during a time when dog ownership is increasing and open space for dog walking decreasing. Local customers will be able to walk to the site.

## 5. PLANNING COMMENTS

The proposal is for the change of use of existing grassland to a dog exercise field. The application is for a change of use only, with no building or construction works proposed. The principle has previously been found to be acceptable.

The land is fully enclosed by an existing fence.

Individual customers will have exclusive use of the field and will be able to walk dogs at any one time. Time slots are on a 25-minute or 55-minute basis.

The site is accessed off a private road that is located of Kent Street. Any traffic associate with the use effectively replaces that which would have historically been associated with the farming operation. Notwithstanding this the site benefits from an unrestricted access currently, with no limit on type and number of vehicles accessing the site.

National planning policy are supportive of diversification and sustainable development and this proposal scores highly on both counts.

The proposal is for a change of use only. Therefore, there would be no adverse impact on the character of the surrounding area, indeed the proposal would maintain the natural environment and landscape. The proposal is therefore of a use and scale that relates well to the setting of the existing land.

It is likely that local dog owners will make use of the facility as it provides a local community facility during a time when dog ownership is increasing and open space for dog walking decreasing. Local customers will be able to walk to the site.

The reason for refusal is solely that of water neutrality. A water neutrality statement is submitted with the application. However, it is confirmed that no water usage is proposed.

Comment was also made under DC/24/1492 with regard to biodiversity net gain and that fact it is not required.

No development is proposed that that covers in excess of 25m squared as no physical development is proposed. Dog exercise is considered less impactful than any continued agricultural use, as a result no habitat is being lost.

## 6. CONCLUSIONS

In conclusion the proposal is particularly sustainable, providing a new use site formerly part of a wider agricultural unit, but now no longer a viable size to carry out any commercial agricultural activity. Re-use of land is strongly supported in terms of planning policy.

The proposal will provide a local service so scores highly in terms of social objectives.

There will be no impact on the environment. The proposal provides an economic use whilst allowing the permanent pasture to be maintained.



acorus®

www.acorus.co.uk