



Delegated Report

Application No: 20211565

Location: Land Adjoining Wildacre, Camer Road, Meopham, Kent

Description: Application for change of use from horse field to dog exercise and training field.

Applicant: Ms M Hughes

Site Visit Date: 7 March 2022.

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 5 January 2022.
Drawing no. 962 (site plan) received 5 January 2022.
Statement via email on 26 January 2022.

Relevant Planning History

20000706	Retention of and re-siting of a field shelter for horses at the rear of existing building and use of part of site for the keeping of horses.	PER	23.03.2001
19970322	Application for prior approval as to whether planning permission is required for erection of agricultural storage building.	AAGR	04.06.1997
19970184	Application for determination as to whether prior approval is required for 2no. agricultural buildings for storage and workshop/office.	RAGR	04.06.1997

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change

- CS19 - Design & Development Principles

Paragraph 33 of the National Planning Policy Framework (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 6 - Building a strong, competitive economy
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)
- Gravesham Landscape Character Assessment (2009)
- Kent Downs Area of Natural Beauty Management Plan

Consultations, Publicity and Representations

Regulatory Services

The applicant is providing poo bags and bins but it is not clear what happens to the waste each day. The fencing needs to be suitable to stop dogs from escaping. There should be a contact number of the applicant and emergency numbers in clear sight should there be any issues.

Public Rights of Way Officer

Thank you for the above application. Having looked at the position of the field I do not believe that the application will affect the RoW network.

Meopham Parish Council

No objection to the application subject to if there is a need for any additional access, lighting or buildings then a further application is made.

Kent Downs AONB

The Kent Downs AONB Unit is currently experiencing unprecedented levels of major planning related work and is therefore unable to provide a detailed response on the application. This does

not indicate that the AONB Unit considers the proposal would not impact on the statutory purposes of AONB designation and it is the responsibility of the Council to decide whether the application meets legislative and policy requirements in respect of AONBs.

The local planning authority has a legal duty to take account of the purposes of AONB designation in determining the application i.e. the conservation and enhancement of the area's natural beauty. In addition to consideration of the proposal against the local authority's development plan, account should be taken of paragraphs 176 and 177 of the NPPF and the principles and objectives of the Kent Downs AONB Management Plan, Third Revision 2021 to 2026. The Management Plan is adopted by all the local authorities in Kent as their policy for the management of the AONB and for the carrying out of their functions in relation to it. The national PPG confirms that AONB Management Plans can be a material consideration in determining planning applications.

We note that the site is relatively well served by the local highways network and benefits from an existing hard surfaced area for parking. It also appears to benefit from existing vegetative screening around the perimeter of the site. Should the principle of the proposal be considered acceptable, we would welcome opportunities for enhancing the existing hedgerow along the boundary with Camer Road to be explored, to help meet the policy requirement for AONBs to be enhanced as well as conserved. It is considered that permitted development rights for any lighting or paraphernalia associated with dog exercise such as agility training equipment is taken away so the acceptability of such facilities can be properly assessed. Details of fencing and gates should also be sought.

Dickens' Country Protection Society

Bearing in mind that the proposed use may generate traffic or nuisances the Society would suggest the granting of a temporary planning consent.

Highway Development Management Officer

I cannot see people walking dogs in a field when there is no lighting, keeping track of an animal could be very difficult. I would suggest the time of opening is restricted between sun rise and sun set, this gives the twilight period for opening and catching any uncooperative dogs at the end of the day, unless it is intended that all animals will be kept on the lead at all times. This would also improve matters at the access where some daylight will be available whilst turning.

No parking plan is provided, I believe this should be a requirement to protect the car parking provision.

All appointments should be booked with a clear 15 minute interval between someone leaving and the next person arriving.

Given there are no onsite facilities for the humans, one must question how the member of staff can deal with a call of nature, and customers' periods on site should be limited. Many public parks and country parks do have toilet facilities so the lack of facilities could be considered an oversight here.

In terms of traffic generation if vehicles are limited to 4 on site at any one time and say a 60 minute period on site to be reasonable in terms of exercise time for the dog, this would only result in some 8 vehicle movements an hour allowing for the 15 minutes between appointments. I cannot see sustaining an objection on the grounds of traffic generation.

So I do not object to the proposal, but suggest conditions, restricting the hours of operation to sunrise to sunset, a parking plan, and an appointment booking system with a minimum of 15

minute intervals between appointments. In addition there should be no on site lighting and I would suggest some toilet facilities should be available and maintained. You may also consider a temporary permission so the full impact of the proposal can be determined, in which case I would suggest three years may be appropriate, to allow the business to become established prior to making a final decision.

Neighbouring properties

The application has been advertised by site notice, press notice and individual letters to 7 properties.

No letters of representation have been received and the consultation period expired on 11 February 2022.

Analysis

Proposal

This planning application seeks permission for a change of use from horse field to dog exercise and training field. The field will be divided into two arenas by a 1.8m high mesh and post fence. The application contains limited information however the applicant has provided the following statement:

Statement from Applicant:

'The proposal is to open a Business that offers a safe and secure exercise area for dogs and their owners. The field will be split into 2 separate arenas both with their own entrance and designated parking space within the site.

The current fencing is remaining the same but having cattle fencing attached on the inside for extra safety and security. No changes are being made.

The aim is for customers to book 1hour slots. There will be a 15 minute gap in between each booking to avoid crossover.

There will be a max of 4 cars parked at anyone time in the car park area and a max of 6 dogs per slot.

There will be 1 staff member on site and max 4 visitors at any one time.

Opening hours will vary for season

Winter 6.30am -5.45pm

Summer 6.30am - 8.45pm

7 days a week

365 days a year

In regards to drainage and waste we are supplying bins and poo bag for customer use which will be emptied daily. No drainage is required.

A noise and landscape assessment has been made and there will be no impact to surrounding properties as it's quite remote and noise levels will be no louder than the odd bark. There is no change to the landscape.

I have had a few outdoor banners made to attach to the main gate to show the location /entrance and designated areas for parking. This will be seen from the road. The only equipment used will be a few agility course pieces which consist of weave poles and tyre jumps.

There will be no boarding or day care on this site it is just a field for people wanting to let their dogs run free with no worries of the running off.'

Site photo of the two arenas:



Procedural matter

The banners on display at the site do not have the express consent of the Local Planning Authority and are being dealt with separately.

Principle

Policy CS7 of the Gravesham Local Plan Core Strategy 2014 supports proposals that promote the appropriate expansion and diversification of the rural area economy. The principle of the proposals is acceptable providing they meet the criteria of the Policies below.

Green Belt

Para. 137 of the National Planning Policy Framework 2021 states that 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

Para. 147 states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'

Para. 148 states that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

Para. 149 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. The proposal does not involve the construction of any new buildings and therefore this paragraph does not apply.

Para. 150 states that certain other forms of development are also not inappropriate in the Green

Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Point (e) relates to material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

In this case the land was formally used for the keeping of horses. There is a barn on site and some stables. The proposed use for dog walking and exercising is not too dissimilar to this. The applicant has confirmed the following by email and in person:

- There will be no staff on site. The dog walkers pay for a one hour slot to use the field and are provided a code for the gate. There will be a maximum of four visitors at any one time.
- There will be no lighting.
- There will be no overlap of users. There will be 15 minutes between each slot.
- There will be no additional facilities for users. There is a toilet already on site and one picnic bench per arena.
- The fencing is post and mesh. This surrounds the site and divides the two arenas.
- There will be no exercise equipment

The proposed use is considered recreational and therefore accords with this paragraph of the NPPF. In terms of openness, the only change is the fencing, two bins and two picnic benches. The fencing is post and mesh and therefore views are not obstructed. Apart from the fencing dividing the arenas, the fencing is inside of the existing fencing and therefore not readily visible. The two bins are modest and located adjacent to the fencing. The picnic benches are to the edge of the arenas. There is no excessive paraphernalia and a condition is recommended that any exercising equipment is removed when not in use. The number of visitors is low and controlled and therefore, subject to conditions, the proposal for the use of the field for dog walking and exercising is considered acceptable.

AONB

The site is located within the Kent Downs Area of Outstanding Natural Beauty. The proposals will not result in any form of building development save for the fencing. As this is not considered excessive or dominant in appearance, no concerns are raised with regards to the impact on the AONB and therefore the proposals, subject to conditions relating to lighting and dog paraphernalia, accord with paras. 176 and 177 of the National Planning Policy Framework 2021.

Landscape Character and street scene

The site is located within the Meopham Downs Landscape Character Area. The key characteristics are a gently undulating topography with a mixture of arable and pasture farmland and a neat pattern of small square fields. As mentioned above, the use for dog walking is not dissimilar to the keeping of horses and the amount of proposed development is minimal. The proposals therefore will not detract from the landscape character and conform to the objectives of Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Neighbouring Amenity

There will be no building works on site and therefore there will be no impact on the amenities of neighbouring properties in terms of loss of outlook, privacy, sunlight or daylight.

The main concern relating to neighbouring amenity is the noise from the dogs and waste. The booking system currently allows for 15 minutes between each slot to ensure that there are no more than four visitors on site at any one time. There will be no more than 6 dogs on site at any one time. The main issue with the keeping of dogs and kennelling is the noise from barking. As this is not a boarding facility and numbers are to be limited, it is unlikely that there will be a noise nuisance however, until the business is running and has completed a full year to cover all

seasons, it is not clear how much noise will be made.

The waste is kept in two bins, one for each arena. These are emptied regularly and the contents taken off site. The applicant has recently opened the facility and stated that less than one bin bag was filled per week. The position of the bins are away from any residential property and therefore the smell from the waste is unlikely to cause any problems.

As this is a new business and nothing similar has been granted within the Borough, it is recommended that a temporary permission is granted for one year to allow the noise and smell impacts to be assessed.

On this basis the proposed development could accord with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021 but will need to be tested by a temporary consent.

Parking and Highways

Operating hours should be limited to between sunrise and sunset each day as there should be no lighting and keeping track of an animal could be very difficult. I would suggest the time of opening is restricted between sun rise and sun set, this gives the twilight period for opening and catching any uncooperative dogs at the end of the day, unless it is intended that all animals will be kept on the lead at all times. This would also improve matters at the access where some daylight will be available whilst turning.

No parking plan is provided, I believe this should be a requirement to protect the car parking provision.

All appointments should be booked with a clear 15 minute interval between someone leaving and the next person arriving.

In terms of traffic generation if vehicles are limited to 4 on site at any one time and say a 60 minute period on site to be reasonable in terms of exercise time for the dog, this would only result in some 8 vehicle movements an hour allowing for the 15 minutes between appointments.

Therefore no objection is raised, but suggest conditions, restricting the hours of operation to sunrise to sunset, a parking plan, and an appointment booking system with a minimum of 15 minute intervals between appointments is recommended. In addition there should be no on site lighting.

Conclusion

The proposed change of use to dog walking field, subject to conditions, will have no detrimental impact on the character and appearance of the landscape, Green Belt, AONB, neighbouring amenities, parking or highway safety and therefore accords with the abovementioned Policies and is recommended for approval.

Recommendation:

Temporary permission.

See draft Decision

Case Officer: AW	Team Leader: Faye Hobbs
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Signed: 	Signed: 
Dated: 15 March 2022.	Dated: 16 March 2022

Gravesham Borough Council