

Delegated Report

Planning Application

Planning Application No: 20240661

Location: Land On East Side Of Church Street Higham Rochester

Description: Change of use to dog exercise and training area and alterations to fencing.

Applicant: Miss & Mrs A and L White and Johns

Site Visit Date: 19th August 2024

Submitted Documents/Plans

Application Form
24/447/01 A – Proposed Fencing
Noise Management Plan
Response to Environmental Protection Comments
Planning Statement
Email containing photographs of site at Foxy Fields

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

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

Paragraph 34 of the NPPF (2024) sets out that 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 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 that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- 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)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Higham Parish Council

Comments received on 12/08/24:

As a Parish Council, we feel it is in the best interest of our parishioners to provide comments to the planning application submitted for the Land on East Side of Church Street Higham Kent for “change of use from grazing use to dog exercise and training area.”

Our councillors have raised several comments in relation to the above, although not opposed to the change of use application.

Councillors are concerned about the increased traffic potential along Church Street, which is a single-track road and could be classified as unsuitable for additional vehicles. Furthermore, councillors are concerned about potential noise nuisance (dog barking) to the properties in Bull Lane that borders the edge of the subject field.

Councillors would like to request a condition to the planning application that limits vehicle movements along Church Street so the change of use of this land has minimal impact on the village. Moreover, would like to suggest a trial period that allows the monitoring of additional vehicles and noise nuisance to neighbouring properties to see the impact that this has on the village.

GBC Environmental Protection

Further comments received on 13/01/25:

The Noise Management Plan (NMP) dated 16/12/2024 by JG Acoustics (Report Ref: BPH-001A) and also the ‘Response to Environmental Protection Comments’ have been reviewed.

The NMP includes both a noise impact assessment and pro-active management measures to minimise any impact on nearby residential premises. With regards to the NIA, the format of the assessment was discussed and agreed with Environmental Protection. Appropriate noise measurements were taken and noise impact at receptors modelled using SoundPlan. The assessment indicates that any noise from the fields will not adversely impact on local residents as it will not materially add to the existing noise climate in the area. Based on the results and data, this is agreed with. In addition, the management controls that have been proposed and put into place will assist in further minimisation of any noise (and other) problems.

It is noted that the proposed hours of use have been amended to those suggested by Environmental Protection in the previous consultation response and in addition, the number of dogs allowed in the field at any one time has been set at a maximum of 8 hours and the time slots on the booking system have been

amended to include a 15 minute buffer between bookings.

Additional information has been provided regarding waste disposal which includes 'poo' bags and these and the fields will be checked and disposed of at the end of each day. The fields will also be checked daily for any damage to fencing etc and repaired immediately.

It's noted that no professional dog training or agility etc classes will be allowed to take place.

With regards to the fencing, which was noted as being inadequate, the applicants have stated that they believe that the current fencing is adequate. This is unfortunately still not agreed with for the reasons that were stated in the previous consultation response. This response was based on the findings of a visit by an officer from Environmental Protection. Whilst it is agreed that some dog fields do use timber post and rail fencing/stock fencing, the timber post and batten type fencing was seen to be very flimsy in parts of the field during the visit. It is still recommended that the fencing is upgraded, particularly as banned breeds/XL Bully dogs are still allowed to use the field.

To address the above, the following conditions are recommended:

Operating Times

The dog exercise field shall only be used during the following times:

Summer months (Between 1 May and 30 September)

Monday to Friday 07:00 to 19:30

Saturday and Sunday 08:00 to 18:00

Winter months (Between 1 October and 30 April)

Monday to Friday 07:00 to 16:45

Saturday Sunday 08:00 to 16:45

Regardless of the times above, the use shall be restricted to within the hours of daylight and that there must be no use during the hours of darkness.

Noise Management Plan

The dog exercise field, entrance area and booking system shall be operated and managed at all times in accordance with the details contained in the 'Noise Management Plan' dated 16/12/2024 by JG Acoustics (Report Ref: BPH-001A) and the 'Response to Environmental Protection Comments'.

Any revision to the operating system shall require the permission of the Local Planning Authority.

Fencing

Upgraded fencing is required. A detailed scheme of the proposed fencing shall be submitted the Local Planning Authority for approval within 4 weeks of the planning permission being granted. The fencing shall be 2 metres in height, made up of concrete posts the height of the fence and concrete gravel boards with close boarded timber panelling or heavy gauge wire mesh panels with suitable apertures. The gating to also be 2 metres in height, flush to the ground, made up of heavy gauge wire mesh with suitable apertures.

If a different specification is proposed, justification for this must be given.

The agreed fencing shall be installed within 8 weeks of the scheme being approved.

External Lighting

No external lighting shall be installed on the site without the prior written consent of the Local Planning Authority.

Comments received on 09/09/24:

Environmental Protection has a number of concerns regarding this application. The following comments are

made.

Noise

There appear to be some inconsistencies between what is advised in the application and what is advertised on the website. The Planning Statement advises that there will be no more than 8 dogs allowed in the field at anyone booking. However, the website advertises bookings available for 9-12 dogs (with a minimum of 2 handlers and 3 cars). Even 8 dogs (let alone 12) represents a significant number of dogs with the potential for there to be considerable noise associated with this (dogs barking and yapping, owners shouting and calling their dogs etc). In addition, the Planning Statement refers to bookings being able to be made by 'professional dog walkers and trainers'. Therefore, although a booking is made by one person, it could in fact result in dogs from a number of different households using the field or being trained at any one time. In this situation, there will obviously be occasions where dogs will be meeting each other for the first time, and this could result in behavioural issues and barking etc associated with this.

There does not appear to be any gap between bookings so if a dog user leaves the field very close to their session end time, this could result in a clash with the next user arriving. It is advised that this part of the booking system is revised to enable a 10/15 gap between bookings to avoid this happening. This will minimise the potential noise from dogs meeting each other and also problems of parking/manoeuvring etc.

This is a fairly rural area and so background noise levels will generally be quite low. The rear gardens of the houses on Bull Lane are only c.50m away from the southern boundary of the proposed site and being this close, noise from the field has the potential to be a problem. This potential for disturbance is exacerbated by the proposed opening hours which are given as 7.00am - 4.45pm in the winter (months not specified) and 6.30am - 8.45pm in the summer (again, months not specified). This is for 7 days a week. Contrary to this it is noted that the website currently allows booking of slots from 05:45 to 18:15 (to 19:15) even on a Sunday in in the winter months.

These proposed hours are deemed to be excessive for this area and could result in dogs being in the field for extended periods of time 7 days a week, particularly in the summer months when any noise early in the morning or later in the evening could result in more disturbance due to people having windows open of ventilation/cooling.

It is advised that the applicant reviews these hours to more appropriate start and end times, particularly on Sunday which is still considered to be a day when a quieter environment is expected.

The following are opening times regarded as reasonable and are similar to other comparable fields as follows:

Summer months (Between 1 May and 30 September)

Monday to Friday 07:00 to 19:30

Saturday and Sunday 08:00 to 18:00

Winter months (Between 1 October and 30 April)

Monday to Friday 07:00 to 16:45

Saturday Sunday 08:00 to 16:45

It is also considered that, regardless of the above opening times, the use be restricted to within the hours of daylight and that there must be no use during the hours of darkness.

Based on the above, it is requested that a noise impact assessment (NIA) is undertaken for the proposal and submitted for review **prior to the determination of the application**. Any mitigation measures contained in the assessment can then be required to be put in place prior to the use continuing should permission then be granted.

The noise assessment should be carried out with reference to the planning guidance on noise, the WHO's Guidelines for Community Noise 1999 and BS8233:2014 (the latter 2 providing guidance on acceptable internal noise levels and noise levels in garden areas). Although a BS4142:2014+A1 2019 assessment

could be undertaken, BS4142 advises that “The standard is not intended to be applied to the rating and assessment of sound from (a) recreational activities....(e) domestic animals, (f) people...”.

The report should include a psychoacoustic assessment of the noise. This is the assessment of the psychological perception of a noise and its impact. Any noise mitigation measures should be included in the report.

It is advised that regardless of any noise mitigation measures, that the use is restricted to private dog walkers only. No commercial dog walking and no professional training or dog classes (including agility) should take place in the site. This is considered to be a comparatively usual restriction for this type of dog field.

In addition to (or as part of) the noise impact assessment/mitigation measures, a Management Plan should also be drawn up and submitted **prior to the determination of the application**. This should refer to matters to reduce and deal with noise as well as other considerations (indicated below).

Waste

Insufficient detail has been provided regarding how waste will be dealt with, although it is intimated that users are to take the fouling off site. There is no reference to waste receptacles on site, how often will they be emptied, how will waste be disposed of, how will the field be checked to ensure that dog waste has been picked up after the field has been used, how often will this happen etc etc. It would be expected that there be at least a monthly collection contract with a suitably licensed waste carrier. Details of this can be included in the Management Plan referred to above.

Fencing and security

The fencing that has been installed is not considered to be sufficiently robust to contain large breed dogs or dogs capable of jumping heights, being constructed of timber battens, chicken wire and stock/sheep fencing. The current fencing is in poor condition with many posts rotten at ground level or loose allowing the fencing to wobble. In addition, there appears to be a significant gap below the gate which could allow dogs to escape. A crude set up has been installed with wooden flaps dropped down by the user to reduce this gap after closing the gate. It was also noted at the site visit that a stile was present leading to the adjacent field. This needs to be removed.

The applicant needs to review the fencing and gating to the site so as to bring it up to an appropriate standard for the use of the field by all breeds (with the exception of banned breeds / XL bullies – refer below), to prevent escape, to ensure public safety and to protect livestock. Whilst there is not set standard for “secure fencing” the following website provides some good advice, eg <https://britishdogfields.com/secure-vs-enclosed-dog-field/>

The website allows bookings for banned breeds / XL Bully dogs, if the applicant wishes to continue to use the field for the exercise of banned breeds / XL Bullies then the fencing and gating needs to be brought up to an enhanced standard of security to ensure that the dog cannot escape. The expectation would be, for example, that the fencing was 2 metres in height, made up of concrete posts the height of the fence and concrete gravel boards with close boarded timber panelling or heavy gauge wire mesh panels with suitable apertures. The gating to also be 2 metres in height, flush to the ground, made up of heavy gauge wire mesh with suitable apertures.

As part of the Management Plan to be submitted details will also be required for frequency that the fencing and gate will be checked. The information in the Terms and Conditions on the applicants website advises that the checks will occur weekly. This is not acceptable. Checks should take place daily, and no further use of the field should occur until any damage has been repaired.

The fencing and gating information to be submitted to the LPA for review and consideration prior to determination.

Lighting

It is requested that if granted permission that there is a condition requiring that there shall be no artificial lighting installed on the site without the prior written planning permission of the Local Planning Authority.

Based on the information submitted as part of the application, the site visit, advice received from the Kent Police Dog Liaison Officer and advice provided on the internet relating to dog exercise fields, insufficient information has been submitted for this service to make an informed decision. Therefore, the applicant is advised to review the information provided in this consultation response and is advised to submit the information as soon as possible. If the information is not submitted in a timely manner this service will have no alternative than to recommend the application be refused.

KCC Highways

Comments received on 08/08/24:

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

KCC Biodiversity Officer

Comments received on 23/09/24:

SUMMARY – NO FURTHER INFORMATION REQUESTED

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in significant ecological impacts. As such, we are satisfied that there is no requirement for an ecological survey to be carried out at this time.

ECOLOGICAL CONSTRAINTS AND MITIGATIONS

The proposed change of use is not expected to result in any different ecological impacts than those associated with the current use of the site (sheep grazing) and in fact may benefit biodiversity¹. No new structures are proposed, no loss or degradation of any habitat is proposed, and no artificial lighting is proposed.

Natural England must be consulted on this application under Section 28I of the WCA 1981 as the application site is located within the impact risk zone (IRZ) of South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI). Consultations are required for all² applications at this proximity (except householder; site is ~200m from the SSSI). An objection from Natural England is not anticipated as we do not anticipate any effects on the SSSI.

BIODIVERSITY NET GAIN

The application is retrospective and therefore not subject to statutory BNG. Even if it were, the de minimis exemption would apply anyway as no degradation/loss of habitat is anticipated.

KCC Heritage

Comments received on 20/08/24:

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, which is understood would not involve any below-ground excavation, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Kent Police Designing Out Crime Team

Comments received on 19/08/24:

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. We recommend perimeter fencing to be a minimum of 1.8m. For further security we strongly recommend including lockable gates.
2. We recommend any valuables on site to be locked away when left unattended to prevent theft.
3. We recommend installing a swing arm or height restriction barrier or gate at the entrance of the parking area which is lockable in the open and closed positions to prevent/deter unauthorised vehicle access and anti-social vehicle misuse, fly tipping etc.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Health and Safety Executive

Comments received on 07/08/24:

1. Thank you for your email of 5 August 2024 asking HSE to consult us regarding planning application DM/23/03098/FPA.
2. The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines. HSE's role as a statutory consultee in the planning process is to provide local planning authorities with advice on the risks to people at a proposed development from a major accident at a site in the vicinity storing or using hazardous chemicals. This consultation, is for such a development as it lies within the inner and middle consultation distances of a major accident hazard pipeline:-
 - National Grid Gas PLC - 18 Feeder Isle of Grain/Gravesend – Ref: 4057584_2786
2. The above planning application is for Use of land for secure dog for dog exercise and training areas. The proposal is to use the land for dog exercise and training and have in place a booking system so that only one person's dog or dogs are using the site at any one time. A 15 minute buffer time between the one hour sessions allows for solo bookings to use area at any one time., in very low

numbers. HSE's Land Use Planning methodology allocates outdoor use by the public for up to 100 people, as a Sensitivity Level (SL) 2 development. HSE normally advises against a Sensitivity Level 2 development in the inner consultation zone of a major hazard site or major accident hazard pipeline.

3. However, the methodology also recognises there can be exceptional circumstances where HSE's methodology can be supplemented with more detailed consideration – see paragraph 10 of 'HSE's Land Use Planning Methodology' (www.hse.gov.uk/landuseplanning/methodology.pdf).
4. The very low occupancy of the proposed dog exercise and training facility (The field will be used as one area by one owner or dog carer at one time. A booking system so that the field is used for a maximum of 1 hour per user with 15 minutes buffer time between users which ensures that the previous user has left the field before the next user arrives and prevents meeting between dogs), leads HSE to conclude the risk to the public would be low in this situation.
5. Therefore, in conclusion, HSE does not advise, on safety grounds, against the granting of planning permission in this case.
6. If new or future proposals lead to an intensification of the use of this area by the public, for example: provision of facilities, greater numbers of public, events, etc. then HSE would wish to be consulted on any future planning applications.
7. As the proposed development is within the consultation distance of a major accident hazard pipeline, we consider the pipeline operator should also be consulted before the case is decided. There are two particular reasons for this.
 - The operator may have a legal interest (easement, wayleave, etc.) in the vicinity of the pipeline. This may restrict certain developments within the proximity of the pipeline.
 - The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

Natural England

No comments received.

Dickens Protection Society

Further comments received on 06/09/24:

Thank you for your letter of 30th August 2024 concerning the above. The Society has no objection in principle to the proposed use and the Society is aware of a similar facility south of Sole Street. The erection of fencing in an area of open fields could have some visual impact. There may also be a demand for some form of structure to provide shelter. The residential properties in Bull Lane are some distance south of the proposed site but there could be a risk of noise nuisance. Access to the site is via Church Street which is a narrow road, single track in places.

In view of the narrow road access and a possible increase in traffic, the visual impact and possible noise nuisance, the Society suggest a time limited consent, in order that any impact can be assessed before full consent is considered. It is recognised that against this there would be the investment cost of the fencing.

Comments received on 18/08/24

The Society would wish to comment that the fence may be visually intrusive. Since this is a new use, if consent is granted it may be of benefit to make it time limited.

Neighbouring properties

47no. surrounding properties were consulted and 43 comments from members of the public were received. 38 of which were in support, 4 objecting and 1 representation.

Summary of objections:

- The site is up and running with no planning permission.
- The land has already changed from orchards to grazing land. Constant changes could result in the site losing its agricultural status.
- There would be an increased volume of cars on this narrow lane, which is in constant use from residents walking to and from school, bus stop and train station, and with a large number of horse riders.
- There will be an increase in people trying to park along the lane and there is already a lack of parking spaces.
- There is noticeable noise from dogs barking and shoring coming from the site which is unacceptable as it backs onto residences.
- The noise will disrupt gardens of neighbouring gardens and residents' dogs in their homes.
- There are issues noticeable to those living in the area, better signage is needed but in a manner which is careful of the countryside.
- The driveway needs improvement as visitors leave a chalky/muddy mess on the road, which has no path.
- People have to stop in the road to open/close the gate causing delays.
- How is the site managed? How many slots per day are allowed? Increased traffic is a concern.
- Would not benefit the local community in any way.
- There are enough dogs barking in the area from houses let alone spoiling the area with infrastructure.

Summary of supportive comments:

- Brilliant use of space.
- Affordable and accessible space.
- Good to support small local venture.
- Well maintained, clean and tidy.
- It looks beautiful.
- Well planned booking system, avoiding overlaps.
- There has been no increase in traffic, littering and noise from dogs.
- Happy that a local business has started up in such an environmentally sensitive way, that is also sensitive to the neighbourhood.
- This is a viable business bringing in taxable revenue.
- Safe environment dogs and members of the public.
- With the increase of dog on dog and dog/human attacked since COVID, we need more spaces like this.
- Good for nervous dogs and for off-lead running.
- More of these dog parks are needed in Gravesham.
- This is a popular facility for the community.
- Some breeds have to stay on a lead if they are out, and this is an essential place where dogs can run free.
- There are many reasons why parks like this are invaluable. If you have reactive dogs, dogs training as medical detection or support dogs, dogs with disabled owners, dogs training to be service dogs etc.

- There are less than a handful of dog parks where you can feel safe and confident without prejudice.
- A lot of thought has been put into this large open space, with suitable activities.
- Gives animals freedom in a safe environment and in many cases protects other dogs and their owners from dogs who cannot socialise.
- Peace of mind for owners, knowing there are no other dogs there especially for older dogs.
- The field does not back onto local resident gardens, as dog field is surrounded by other fields.
- Plenty of parking within the dog field area, so no parking on local roads.
- There are many local open fields, but these fields are open and there have been instances of dogs being killed, running into the road.
- One of a kind in this area and is an excellent asset to the village community.
- There has been no real increase in footfall or traffic, except one or two friendly dogs and their owners who have passed by to say how happy they are with the space. In many ways it has increased connectivity and community in the village.
- The field has been used for grazing for many years and this use has not affected the local wildlife.

Summary of other comments:

- It has been there for some time now, but no letters were received to inform people.
- A sign should be put up to indicate where the site is, as cars slow down by homes looking for it.

Officer's Analysis

Principle

Policy CS07 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 all other relevant planning policies.

Green Belt

This site is located in the Metropolitan Green Belt and the Higham Arable Farmlands, Landscape Character Area.

Local planning authorities are required by paragraph 153 of the NPPF (2024) to:

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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.

Footnote 55 applies to the first statement and is as follows:

⁵⁵ Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate

The site is considered to be on Green Belt Land, which is not defined as Grey Belt or Previously Developed Land. As such consideration under paragraph 154 is necessary in this instance.

Paragraph 154 of the NPPF (2024) states that Development in the Green Belt is inappropriate unless one exception applies.

As no structures are proposed by the development the applicable exception would be 154 (h(v)).

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

v. 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 proposal is to change the use from an area with its most recent lawful use as an orchard, (as evident in the latest planning application 20130116) to dog exercise and training area. It is noted that the area appears to have been devoid of trees since 2014 based on aerial views and the applicant has advised in their statements and verbally that the site has been used as grazing area for some time. However, no change of use application or Lawful Development Certificate have been submitted to formally change the use of the land. Therefore the use must be considered as an orchard. There are no structures on the site, and none are proposed or have been erected without planning consent. The proposed use for the exercise of dogs, could in many ways be considered a similar type of use to the grazing of agricultural animals.

The details submitted with the application confirms that:

- Original field fencing, post and stock wire fencing remains and has been extended with timber batten and another layer of wire with netting up to 1.8m in height.
- CCTV will be installed to provide 24 hour monitoring of the field, at the entrance and 3 additional points within the field.
- The booking system in place limited the number of dogs to a maximum of 8 at a time (except in the case of XL Bully type breeds).
- Slots are booked for 1 hour at a time with a 15 minute buffer between booking to prevent overlap..
- No toilet facilities are provided.
- Exercise equipment has/will be provided and is of a temporary nature.
- No artificial lighting is proposed.
- Opening hours are as follows:

Winter Hours: 7:00 am – 4:45 pm

Summer Hours: 7:00 am – 7:30 pm

The proposed use is considered recreational and therefore accords with this paragraph of the NPPF. In terms of openness, the only change is the temporary exercise equipment and CCTV, which would not result in any permanent or significant erosion of the openness of the landscape. The upgraded fencing is post and mesh, although the height has been increased, it is of an appropriate height and appearance within the Green Belt. 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 in the Green Belt.

Landscape Character Area.

It is also noted that the site is in the Higham Arable Farmlands, Landscape Character area. Given the highly temporary nature of the exercise equipment and fencing height increases, and its similarity to the existing use for grazing, it is considered that development does not significantly harm the Landscape Character Area. 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 overlaps in visitors at one time. There will be no more than 8 dogs on site at any one time. The main issue will be 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, as requested the planning agent and applicants have submitted a Noise Impact Assessment. The Environmental Protection Team concluded that;

'The assessment indicates that any noise from the fields will not adversely impact on local residents as it will not materially add to the existing noise climate in the area. Based on the results and data, this is agreed with. In addition, the management controls that have been proposed and put into place will assist in further minimisation of any noise (and other) problems.'

The waste is not kept on site. The rules of using the site requires dog waste to be taken with users once their session has finished and poo bag dispensers are available at multiple locations throughout the field. The site is checked by the owners each day to ensure any waste is removed. With waste being removed regularly and not left to stagnate, impact on residents from smells is not likely to be significantly different from that of grazing animals.

Any lighting would have an impact on the neighbouring amenities and the surrounding landscape. A condition is recommended to ensure that there is no lighting and that the business is only operated during daylight hours.

Post and mesh fencing is commonly used in rural areas. It is also used commonly in dog parks and fields such as these. Such fencing was used for the dog exercise and training field approved under ref 20230029 as shown in the photograph below:



The planning agent also provided another example of such fencing from an approval in Maidstone (Ref 24/501197/FULL) – Land at Pett Farm, Pett Road, Stockbury. This is shown in the image below:



In this case mesh fencing has been proposed/used/ However, to increase its height netting with timber attachments has been used. The photo below shows this:



As the image shows, the timber pillars appear not to be as straight as images on the other examples given.

This leads us to believe that there is some unsteadiness in the base part of the fencing as well as the netting attached atop. Environmental Protection have raised concerns about the potential escape of dogs. They have requested a condition to be attached which would require the fencing to be 2 metres in height, with concrete posts, gravel boards and close boarded timber fencing or heavy gauge wire mesh panels. However, this prescriptive nature of the fencing does not consider wider visual impact on the Green Belt and Landscape Character. Nor does it fail to be consistent with fencing requirements of other similar approvals. So, whilst it is agreed that the fencing does need to be strengthened. A condition which allows more flexibility, requiring details of fencing to be submitted, would be more reasonable in this instance.

It is important that decisions made in the Borough take a consistent approach. Whilst all developments are assessed on their merits, similar development often have similar issues and as such similar approaches to their assessment should be taken. A similar used for a dog exercise field in the borough has been approved (20211565 and 20230029 on Camer Road). The use was initially given a temporary approval in order to fully ascertain any potential impact from the proposed development, as a new type of development. Following a temporary permission, full permission was granted. Although a noise assessment has been submitted with this current application, due to the greater number of residences surrounding the site, for which there have been concerns raised regarding residential impact with regard to noise, combined with the fact that this proposal is for up to 8 dogs, it is considered that a temporary permission should also be granted in this instance. It is noted that in the supporting statement the applicant advised that they would be willing to accept a 2-year consent.

On this basis the proposed development is likely to be considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014 subject to details reserved by planning conditions. However this needs to be ensured through the mechanism of granting by a temporary consent, which would allow the full impacts of the scheme to present themselves.

Parking and Highways

It is evident that the lack of signage the entrance of the site, makes it difficult for users to find their way, causing delays and hazardous stopping along the narrow road. This is evidenced by comments from neighbours, and this officers own experience upon visiting the site. It is therefore necessary and reasonable to require details of entrance signage to be reserved by planning condition. Whilst it would also be beneficial to move the entrance gates further into the land, to prevent stoppages on the road whilst the gates are open, this is an existing situation, which is used by owners of a number of plots, including stables nearby and this application would not exacerbate that particular issue significantly.

The permission would apply conditions to restrict the hours of operation to daylight hours only and that all users shall book a slot of no more than one hour with a 15-minute interval between each slot to allow for a change over in order to ensure there is no unacceptable traffic generation. It is noted that the site stems from a narrow lane, where there would undoubtedly be safety issues should a significant increase of parking take place on the road. As can be seen in the image below, there is space for the parking of 1 vehicle on site. The documents also advise that there is room for 2/3 cars to park by the site entrance (Photos also included below). The website for the site details that bookings will be limited to a maximum of 3 cars. As the proposed use would be Sui Generis KCC Parking Standards advises that required parking provision is individually assessed. KCC Highways were consulted on the scheme and raised no objections to the proposals. However, as assessed in the residential amenity section of this report, the full impacts of the scheme remain to be seen and this applies also to highways impacts. A temporary permission would allow for a greater understanding of impacts of the development on the highway before a permanent approval is sought.



On this basis the proposed development could be considered acceptable in relation highway safety and appropriate parking provision, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014). However, the temporary consent would allow a full and reflective assessment of these impacts.

Conclusion

The proposed development is acceptable in the Green Belt. There would be limited impact visually on the wider character of the area and landscape and limited impact on the residential amenity of neighbouring properties. However, further details with regard to boundary treatment, CCTV and signage are required to ensure that the scheme would be compliant, particularly with regard to visual amenity, residential amenity of neighbours, and highway safety. These details can be reserved by conditions and would ensure that the scheme complies with all relevant national and local planning policies.

Recommendation

The recommendation is to grant temporary planning permission, for a period of 2 years, so that the impacts of the scheme in terms of noise and highways and parking, may be fully understood before the applicant may re-apply for permanent planning permission. This would be subject to details reserved by conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	7 th February 2025	Dated:	07 February 2025