OFFICER REPORT

Case No: 25/00028/FUL Full Planning Application

Proposal: Change of use from agricultural land to dog walking and exercising facility (Sui Generis)

Location: Land West Of Kenmore Park Road Brampton

Applicant: Mr P Ruston

Grid Ref: 520185 270365

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the change of use of land from agricultural land to dog walking and exercising facility (Sui Generis), including a parking area Land West Of Kenmore, Park Road, Brampton.

The Planning Statement and application form submitted with the application states that the proposed dog walking/exercising would operate seven days a week, 7am to 9pm. The applicants confirms that the site is only used for pre-booked appointments by individuals and for up to 10 dogs. The slots would be 50 minute slots with 10 minute cross over to avoid car parking issues.

The site is located in the countryside, with the settlement of Brampton nearby. The site is an agricultural field.

This application has been accompanied by a Planning Statement, Highways information, plans and a BNG metric and assessment. During the course of the application, additional information was received at the request of consultees in relation to highway safety.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

The National Planning Policy Framework (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: '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).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;

* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Huntingdonshire's Local Plan to 2036 - adopted May 2019

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP10: The Countryside
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP19: Rural Economy
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows

Local policies are viewable at https://www.huntingdonshire.gov.uk

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)
Cambridgeshire Flood and Water SPD 2017
LDF Developer Contributions SPD (2011)
Annual Monitoring Review regarding housing land supply (2024)
Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

Local policies are viewable at https://www.huntingdonshire.gov.uk

PLANNING HISTORY

No relevant recent planning history.

CONSULTATIONS

Cambridgeshire County Council's Highway Authority - required more information on booking and parking arrangements. The parking was increased from 2 to 5 , which would allow for a maximum of five vehicles per one booking. The applicants agreed to a condition limiting the bookings to 5 cars per 50 minute session and Highways raised no objection subject to a condition and other highways related conditions.

Huntingdonshire District Council Environmental Protection Team - No objection. There will be no lighting and the number of users will be controlled

Bedford Group of Drainage Board: No objections.

Parish Council: Asset to the village and recommend approval.

Alconbury and Ellington Drainage Board: advised their separate consent would be required and would not accept anything within a 9m service strip.

Officer Comment: The applicants have been in contact with the board and an amended response notes that the applicants have consent. The plans are amended to reflect this. This consent is a separate matter from planning.

Ecology: Concerns that the MoRPh (modular river physical survey) survey was out of season and so it was reassessed in May and the BNG updated to include the new hedgerow.

REPRESENTATIONS

The application has been advertised by
- Site notice
- Neighbour letter
- And on the council website

5 responses were received:

2 responses have been received that neither support or object to the application.

Concerns have been raised in regard to
- Noise
- Parking and blocking the highway
- Request conditions to impose operational pragmatic restrictions on vehicles, people and dog numbers

3 responses were received supporting the application and the benefit to villagers with dogs, subject to lighting being controlled.

ASSESSMENT

The main issues to consider are:

- The Principle of Development
- Design and Visual Amenity
- Residential Amenity
- Highway Safety
- Flood Risk and Surface Water
- Biodiversity

*The Principle of the Development

The site is located within the countryside as defined by the adopted Huntingdonshire Local Plan to 2036, as such, Policy LP10 is considered relevant. Policy LP10 states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of the Local Plan.

The proposal seeks approval for the change of use of land to a dog walking and exercising field and associated works. The submitted application states the previous use of the site was agricultural. As such, Policy LP19 (Rural Economy) is considered to provide an opportunity for development.

Policy LP19 (Rural Economy) of the adopted Local Plan states that a proposal for farm diversification will be supported where it is demonstrated that it is complementary and subsidiary to

the ongoing agricultural operations of the farm business. Furthermore, the proposal will be supported where it demonstrates that
(e) opportunities to reuse existing buildings have been fully explored; and replacement or new build are only proposed where it can be demonstrated that no suitable reuse opportunities are available;
(f) any opportunities to make more efficient use of land within the existing site boundary are not suitable for the proposed use;
(g) it avoids the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) particularly Grade 1 where possible and should use land of lower agricultural value in preference to land of higher agricultural value; and
(h) the scale, character and siting of the proposal will not have a detrimental impact on its immediate surroundings and the wider landscape.

Given the scale and nature of the proposed use, the Local Planning Authority are satisfied that the proposal meets criteria (e) and (f) of Policy LP19 of the adopted Local Plan. Furthermore, criteria (g) and (h) of Policy LP19 are discussed as part of the assessment of Policy LP10 in the following paragraphs.

As such, the Local Planning Authority consider that the proposal satisfies Policy LP19 of the adopted Local Plan in this instance.

It is also worth noting that the National Planning Policy Framework states that decisions should enable the development and diversification of agricultural, other land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside. Furthermore, this states that 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.

Policy LP10 goes on to state that all development in the countryside must
(a) seek to use land of lower agricultural value in preference to land of higher agricultural value;
(b) recognise the intrinsic character and beauty of the countryside; and
(c) not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

The existing land that is the subject of this application is classified as Grade 2 (Very Good) agricultural land. Some 98% of the district comprises land within Grades 1 to 3, with 15% being Grade 1 and an estimated 77% of land falling within the definition of best and most versatile land.

Policy LP10 clarifies that the best and most versatile land should be avoided where possible. Given the nature of the proposed development, it is considered that the proposal does not represent the irreversible loss of agricultural land and any harm that results is very limited.

As discussed in the following sections of this report, the Local Planning Authority are satisfied that the proposal is acceptable in relation to criteria (b) and (c) of Policy LP10 and criteria (h) of Policy LP19, of the adopted Local Plan to 2036, subject to the imposition of conditions on any planning permission granted.

Overall, the principle of development is considered to be acceptable in this instance, subject to all other planning matters being addressed.

*Design, Visual Amenity and Impact Upon the Character of the Area

Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining

buildings and landscape. This is also reflected in the Huntingdonshire Design Guide SPD and the National Planning Policy Framework.

The proposed change of use of land to a dog walking/exercising facility would result in the provision of an area of hard surfacing for off-street car parking, 1.8m high deer fencing mesh with rabbit proof fencing nearer the bottom of this.

The proposal is considered to be of an acceptable scale and would not be a significant impact in the visual amenity of the open countryside. Given the nature of the proposal, the change of use of land is considered to result in a limited visual impact given the majority of the site would be a grassed area with relatively small-scale parking area.

The proposed parking area with surfacing would be of an acceptable scale and in close proximity to the highway so that additional access track surfacing is not required. A secure 1.8m high mesh fence is inset from the boundary and surrounds the site and there is also a landscaping shrubs and trees and hedging which helps to screen the majority of the perimeter.

In terms of impact on the character of the area due to the proposed use, given the proposed volume of use (which is discussed in more detail below and which shall be conditioned) it is not considered that the use will be out of character or at odds with the rural location.

The proposal does not include any form of lighting, thus does not result in any obtrusive lighting or adverse impacts relating to the enjoyment of the countryside. A condition will be imposed to this affect.

Overall, the proposal is not considered to result in any unacceptable levels of harm to the character or appearance of the existing site, the surrounding area or the wider countryside.

As such, the proposed development is considered to be in accordance with Policies LP10, LP11, LP12 and LP19 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and the National Planning Policy Framework in this regard.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

The site is in close proximity to a number of residential properties. It is therefore important to consider the potential impact on the occupants of these properties, as result of noise, disturbance etc.

One of the main matters to establish is the volume of use and operational hours. Environmental Health have raised no objections to the proposal given its small scale.

The site would operate 7 days a week from 7am to 9pm. The applicant has confirmed that the site is used for a maximum of 10 dogs on site at any given time and is happy for the site to be conditioned to this effect. The bookings would be scheduled sessions for an hour with 50 minutes on the field and a 10 minute cross over time to leave. This would be conditioned to ensure this.

The Council's Environmental Health Team would not want the site to operate during 'night-time hours' (11pm-7am) to preserve amenity. A condition would be imposed on any planning permission granted to restrict hours of operation. It is considered that a condition can be imposed to ensure no external lighting is installed at the site. This will allow a slightly later use in the summer months when it is still daylight but will restrict the use in the winter months.

Given the relatively small scale and design of physical development (the parking, fencing etc) there are considered to be no concerns with regard to overbearing impact, overshadowing or loss of light.

Overall, subject to the imposition of conditions, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and the National Planning Policy Framework in this regard.

*Highway Safety

The proposed development would be accessed via an access point off Park Road, which currently serves a number of residential and leads to Grafham. The proposal involves alterations to create a parking area to ensure it is in accordance with the Cambridgeshire County Council's highway recommendations. During the application discussions between highways and the applicant were undertaken and the application amended to include 5 spaces rather than 2. This was felt to be acceptable subject to a condition to limit the use to 5 cars per 1 hr session. A condition would be imposed on any planning permission granted to ensure this.

During the course of the application, further highways information has been submitted in regard to the number of dogs per session. A condition would be imposed on any planning permission granted to restrict the use of the site to this effect.

Following confirmation of this CCC Highways have advised that they have no objections to the scheme provided these matters can be secured by condition.

Given the scale and nature of the proposed development, the Local Planning Authority are satisfied that the proposal would not result in a significant increase in traffic movements. Furthermore, the Local Planning Authority are satisfied there is adequate off-street car parking and turning provision to ensure that vehicles enter the public highway in a forward gear.

Overall, subject to appropriate conditions the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and the National Planning Policy Framework in this regard.

*Flood Risk

The site falls within Flood Zones 2 and 3 of the Huntingdonshire Strategic Flood Risk Assessment 2017 and Flood Zones 2 and 3 of the Environment Agency's Flood Map for Planning. A Flood Risk Assessment has been submitted as part of this application.

Given the proposal seeks approval for the change of use from agricultural land to a dog facility - both of which are considered to be less vulnerable development on land within Flood Zones 2 and 3, the exception and sequential tests are not considered to be relevant in this instance and development is considered to be compatible in relation to flood risk.

The proposal involves the creation of an area of off-street car parking which would be finished with permeable surfacing. The Local Planning Authority are satisfied that the proposal would not result in any detrimental flooding impacts within the site or elsewhere. A condition will be imposed to ensure this is permeable. Furthermore, it is also worth noting that no foul water connection is required.

Therefore, subject to appropriate conditions the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and the National Planning Policy Framework in this regard.

*Biodiversity -

The NPPF (2024) states planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.

A Preliminary Ecology Assessment (PEA)was not required given the nature of the proposal. However, the application was required to undertake a Biodiversity Net Gain (BNG) assessment and accompanying metric.

It is noted that there is no proposed lighting on the site. it is considered prudent to attach a condition to ensure no external lighting should this be required in the future in order to avoid any potential harm to nocturnal wildlife.

The HDC ecologist assessed the information submitted and felt that the
- Proposed hedging was not in the metric
- The MoRPh survey needed to be updated with in season assessments from the applicants ecologist if anything changed on site.

The applicants agreed an extension of time to allow this to be undertaken in May. The applicant's ecologist found that there were no occurrences of Himalayan Balsam present during his follow-up walkover of the site. Therefore the initial MoRPh survey would remain unchanged.

The new boundary hedgerow is included in the BNG assessment and metric after amendments and it is felt that the proposed increase in habitat will be a benefit to the site.

The onsite habitat change is estimated to result in a habitat unit uplift of 71.87%, hedgerow unit uplift of 100% and a watercourse unit uplift of 11.55%. Thus, the project is considered to meet the legal obligation to achieve a minimum of 10% Biodiversity Net Gain in England.

Overall, the proposed development is considered to broadly be in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework in this regard.

CONCLUSION

The proposed development is considered to be compliant with the relevant national and local policy as it is:

*Acceptable in principle

And it:

* Is of an appropriate scale and design;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not be detrimental to highway safety in the locality;
* Would not result in an increased risk of flooding in the locality;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
Enquiries about this report to **Hannah Hodges**