

Planning, Design and Access Statement

Change of Use of Agricultural Land to a Dog Walking Field

Land North-West of Moor Lane
Broughton
Malton
North Yorkshire
YO17 6QL

Mrs. E. Lund

November 2018

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1. Introduction

- 1.1. This Planning, Design and Access Statement supports the application for the change of use of agricultural land to a dog walking field. The planning application is made on behalf of Mrs. E. Lund, who's family operate the farming enterprise at Manor Farm. The Lund family have been farming at Manor Farm, Broughton since 1924 and are seeking ways to diversify the farming business and maintain its financial viability.

2. The Site and the Context

- 2.1. The field to which this application relates, comprises 0.99 hectares (2.44 acres) and currently forms part of an agricultural land parcel which is used on rotation for arable production and the grazing of cattle and sheep. The site is generally level and agricultural land surrounds the field on all sides with Moor Lane to the south-east. The application site is bounded by well established, mature hedgerow interspersed with mature trees and a wire-netted fence. A footpath (NY Path No. 25.93/2/1) runs east to west outside of the southern boundary of the field (see Image 2 below). A photograph of the site is shown below.



Image 1: Site of Proposed Dog Walking Field.

Site Location

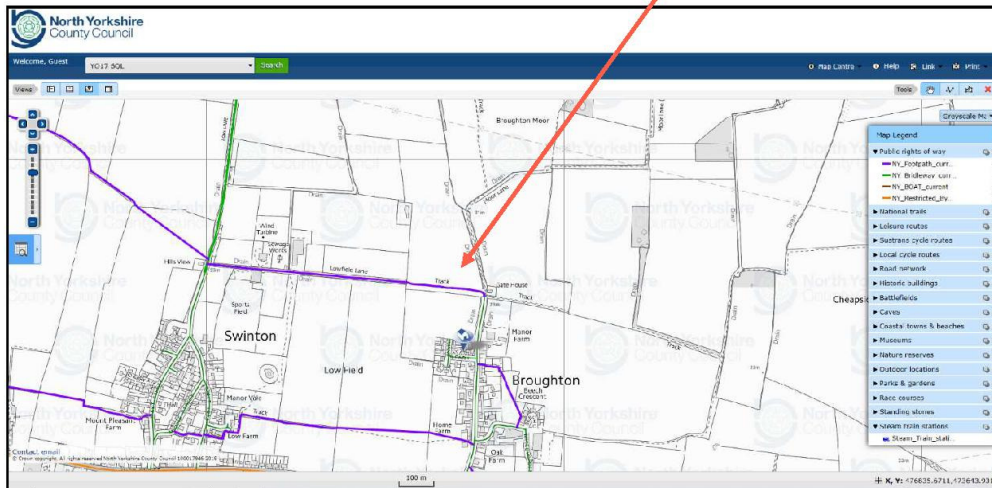


Image 2: North Yorkshire County Council Rights of Way Map Showing Footpath (Source: North Yorkshire County Council)

- 2.2. The land is situated 150 metres to the north of the village of Broughton and 569 metres to the east of the village of Swinton. The site is accessed from Moor Lane with easy access to the B1257 (Malton/Broughton Road). It is proposed that users of the dog walking field will access the site using the existing field access with parking available on the existing hard-standing at the entrance to the field.
- 2.3. Due in part to recent large-scale developments in Malton, demand for dog walking and exercise areas has increased exponentially. With many home owners now owning a dog, but lacking provision of a safe controlled place to walk and train them, it is hoped this field will serve the needs of the local community well.
- 2.4. Social consciousness is also encouraging potential dog owners to look to re-home abused, reactive or neglected mature dogs, which often have not left the security of a house or garden. The enclosed dog walking field will create a much-needed space and peace of mind for these owners to train and bond with their dogs under the knowledge that they cannot escape and to ensure that dogs with behavioural issues are not put into situations involving children or other animals.
- 2.5. The footpath and bridleway adjacent to the application site are currently well used by dog walkers, with provision having already been made for dog waste collection on Moor Lane (See

image below). It is hoped that the field will encourage some of the large numbers of existing dog walkers, already using local fields for exercising their dogs, to instead use the designated dog walking field.

- 2.6. The danger prevented to livestock by dogs is twofold. The land at Manor Farm is frequently used for the overwintering of store lambs and summer grazing of suckler cattle and there have already been several cases of livestock being chased by dogs walked off the lead.
- 2.7. Additionally, having a field for the specific use of exercising dogs may provide prevention against the disease of livestock. Currently, the spread of dog faeces is uncontained and widespread and is a serious cause for concern. Neosporosis, a parasite found in dog faeces, causes abortions in cattle. Sarcocystosis is caused by parasites using dogs as intermediate hosts and can cause lamb and sheep carcasses to be condemned following slaughter. The ability to contain and remove faeces in a controlled and clinical manner, as well as restricting the area in which dogs are exercised, will reduce the risk to livestock.



Image 3: Dog waste collection bin already sited on Moor Lane.

3. Description of Site and Proposed Development

- 3.1. The proposal is for the change of use of agricultural land to a dog walking field. This facility will provide a safe and secure dog walking area for dog owners to exercise their dogs. The access to the site will be taken from Moor Lane, using the existing hard standing for parking. The dog walking area is already sown to grass and bounded by a fence which will be replaced with secure fencing and gate.
- 3.2. The proposal is intended to further diversify an existing agricultural business of arable and grassland, used for the grazing of sheep and cattle.
- 3.3. The site will be used as a private dog walking field and will be available to customers for 30 minutes or 60-minute periods. The dog walking field is proposed to be open from 7am until 8pm daily; there will not be any requirement for any floodlighting at the site. There will be a maximum of seven dogs allowed per time slot. All bookings and payments will be made online and only one booking will be allowed per time slot.
- 3.4. The site will be served by the existing field access via Moor Lane. A secure gate and fencing will be used to ensure that the site is secure for both the enjoyment of the field users as well as those users of the neighbouring footpath and Moor Lane.

4. Key Planning Policies

- 4.1. Applications are to be determined in accordance with the policies in the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states, 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.' This is recognised in Paragraph 11 of the National Planning Policy Framework (NPPF), with Paragraph 12 stating that the Framework 'does not change the statutory status of the development plan as the starting point for decision making'.

Ryedale Local Plan - Local Plan Strategy (2013)

- 4.2. In this case, the Development Plan comprises the Ryedale Plan - Local Plan Strategy (2013). The Development Plan also includes the Adopted Proposals Maps and retained saved policies from the Ryedale Local Plan (2002). The following policies are considered to be relevant in regard to the determination of this application and development of the application site.

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- ¿ Policy SP1 - General Location of Development and Settlement Hierarchy
 - ¿ Policy SP9 - The Land-Based and Rural Economy
 - ¿ Policy SP13 - Landscapes
 - ¿ Policy SP16 - Design
 - ¿ Policy SP17 - Managing Air Quality, Land and Water Resources
 - ¿ Policy SP20 - Generic Development Management Issues

National Planning Policy Framework (NPPF) (2018)

4.3. The National Planning Policy Framework (NPPF) (2018) is a material consideration and is the Government's overarching framework for planning policy. Paragraph 11 of the NPPF provides for a presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay and where there are no relevant development plan policies, or the policies that are most important for determining the application are out of date, permission should be granted unless:

- I. The application of the policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- II. any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.4. The relevant sections of the NPPF in the instance of this planning application are:

- 2. Achieving Sustainable Development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 11. Making effective use of land

4.5. Paragraph 38 of the NPPF states that:

:Local planning authorities should approach decisions on proposed developments in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.~

4.6. Section 6 'Building a Strong, competitive economy' includes a section on 'Supporting a prosperous rural economy' and Paragraph 83 states that:

'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.'

5. Material Considerations

5.1. The site is outside of any defined development limit and would therefore be considered as 'open countryside' for the purposes of Development Plan policy. Policy SP1 sets out the types of development that are supported in the Countryside, provided that it does not harm the character or appearance of the countryside. The policy states that development 'which is necessary to support a sustainable, vibrant and healthy rural economy and communities' will be supported and the proposed development falls within these criteria.

Use

5.2. Policy SP9 seeks to ensure that 'Ryedale's land-based economy will be sustained and diversified with support for:

- ζ Appropriate farm and rural diversification activity, including innovative approaches'

5.3. The applicants have identified a need by local residents for an area in which they are able to exercise their dogs, off-lead, in a secure and safe enclosure. They have been approached by a number of people with regards to using a field on a regular basis, where their pet would

be allowed off-lead to undertake training and exercise without the worry of other dogs being aggressive or the risk of their own dog fleeing.

- 5.4. Paragraph 6.3 of the Local Plan identifies that :Community facilities are an essential part of the fabric of our society. They range from providing essential services to opportunities for social interaction, engendering a sense of belonging and identity to the District. It goes on to say that :It is important these are supported and enhanced to take account of the planned levels of development set out in [the] Strategy. ~

Landscape

- 5.5. The proposed dog walking field is located within the Howardian Hills Area of Outstanding Natural Beauty and as such Policy SP13 ~ Landscapes, is of relevance. Policy SP13 states that

:Proposals will be supported where they:

- é Do not detract from the natural beauty and special qualities of these nationally protected landscapes or their settings
- é Seek to facilitate the delivery of the Howardian Hills AONB Management Plan Objectives
- é Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area ~

- 5.6. The grassed agricultural land that is proposed for the change of use, would remain a grassed field. The upgrading of the field gate and fencing would not require planning permission, it is the change of the use to a commercial enterprise as a dog walking field that requires the planning application to be submitted. Dog walking is regularly and frequently carried out along both the bridleway and footpath running adjacent to the field, and as such, the landscape impact of the proposed change of use of the field is therefore considered negligible in relation to its current use.

Design

- 5.7. The field will be sown with a grass seed mix which will be allowed to establish properly before being used for the walking of dogs.
- 5.8. The dog walking field will be fenced along all boundaries with a 1.92-metre-high timber post and wire mesh fence. The wire mesh will be galvanised steel wire. Wire mesh rabbit fencing

will overlay the 1.92-metre-high wire mesh deer net fence, with the rabbit fencing being extended into the field in order to prevent the dogs digging underneath.

- 5.9. The majority of grass sward will be topped on a regular basis; however, it is intended that some areas will be allowed to grow longer in order to introduce a diversity of terrain for the dogs and also to enhance the nature conservation interest of the site.

Security

- 5.10. There will be a code lock on the gate to the dog walking field. The code lock combination will be changed on a regular basis.

Waste Disposal

- 5.11. All users of the dog walking field will be required to supply their own biodegradable dog poop bags and to collect faeces. Any solid waste generated by the dogs is collected by the owners during each visit in poop bags, then disposed of in a designated site bin. All waste is collected on a weekly basis by a veterinary waste company. The collection of excrement will be of key importance in maintaining the integrity and appeal of the dog walking field. Any users failing to collect dog faeces will be barred from using the field.

Numbers

- 5.12. The number of dogs utilising the field at any one time is restricted to a maximum of 7 but the large majority of owners would normally bring 1 to 2 dogs.

Access

- 5.13. Access to the site is via the existing field access from Moor Lane and the footpath from Swinton. The site is also served by a regular bus service, with two bus stops to the south of Moor Lane on Malton/Broughton Road (shown in Image 3 below).

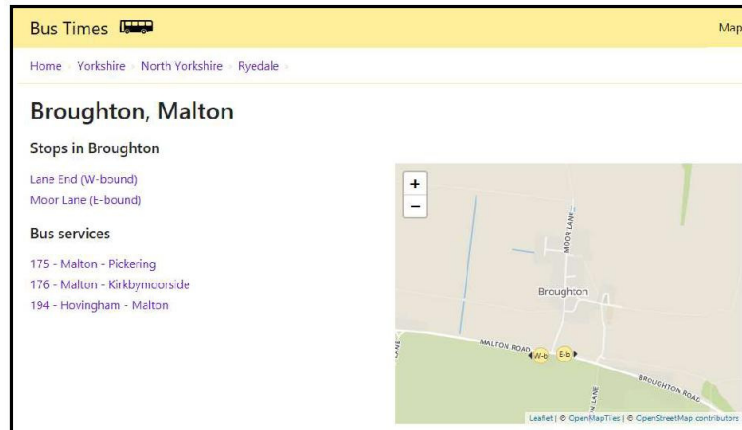


Image 4: Location of Bus stops and Details of Bus Services

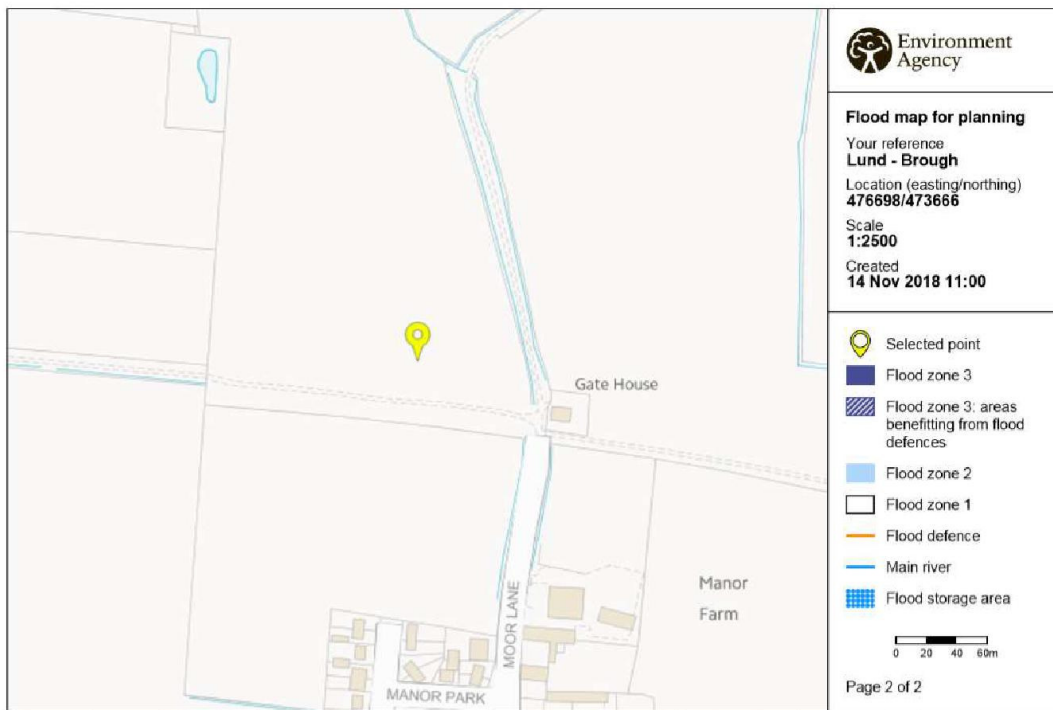
Flood Risk

- 5.14. In accordance with the Environment Agency's website, the site is situated within Flood Zone 1 (see Appendix 1). Flood risk from rivers or the sea is assessed as being low in this area.
- 5.15. The development would not alter the existing drainage of the field, there would be no solid hard-standings or permanent structures introduced to the site.

6. Conclusion

- 6.1. The change of use of this agricultural land to a dog walking field would provide a much needed, safe and a secure recreational facility for dog owners. The principle of the proposal is considered to be acceptable and would accord with the provisions set out in the adopted development plan policy documents.
- 6.2. There are no adverse impacts on the character of the AONB or wider landscape or visual amenity of the surrounding area. The proposal respects the intrinsic character of its surroundings whilst at the same time, helping to diversify an existing agricultural business. The use of the field for the exercising of dogs is thought to pose no significant harm to residential amenity due to its relatively isolated location and site layout (the field has been sited so that the majority of the dog exercising area is away from the nearest residential property) and there would be no adverse impacts on highway safety. The proposal therefore complies with the development plan policies and can be deemed acceptable.

Appendix 1 - Flood Risk Maps



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