

RETROSPECTIVE APPLICATION FOR FULL PERMISSION FOR THE CHANGE OF USE OF A FIELD FOR THE PURPOSE OF DOG WALKING, INCLUDING RETENTION OF 2 FIELD SHELTERS

PLANNING STATEMENT

**CASEBOURNE COTTAGE, UNDERHILL ROAD,
FOLKESTONE, KENT, CT20 3JH**

ON BEHALF OF P SUDDENS AND C GOODCHILD - S&S DOGGIE FIELD

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

Prepared by: Gareth Jones

Pegasus Group

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | Gloucestershire | GL7 1RT

T 01285 641717 | **F** 01285 642348 | **W** www.pegasuspg.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

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1. Introduction

- 1.1 This planning statement has been prepared on behalf of P Suddens and C Goodchild - S&S Doggie Field in support of a full planning application for the retrospective change of use of a field to a dog-walking facility at Casebourne Cottage, Underhill Road, Folkestone, Kent, CT20 3JH. This application follows engagement with the council's enforcement team who requested an application be made, which has been duly prepared and submitted.
- 1.2 The applicants moved to the property in 2004 and have been operating their dog-walking business since October 2019.
- 1.3 This statement will briefly introduce the site location, description, planning history, the proposed development and will consider the proposal in the context of Local and National planning policy, alongside other material considerations, in order to assist the Officers' consideration of the application. The conclusion reached is that the proposal represents sustainable development which is supported by national and local policies.
- 1.4 The application is accompanied by the following documents and plans:

Site Location Plan

Existing Block Plan

Proposed Block Plan

Planning Statement

Acoustic surveying has been undertaken to support the application. The results are not available at the time of submission because submission of the application has been requested by the council's enforcement team before Christmas 2020, which is before the results will be available. The acoustic survey results will be submitted in due course.

A Transport statement is also being undertaken to support this application. The results of this are not available at the time of submission for the same reason listed above for the acoustic survey. A transport statement will be submitted in due course.

2. Site Description

- 2.1 The application concerns a 0.25-hectare field situated roughly 3.4 kilometres from Folkestone Town Centre and falls under the authority of Folkestone and Hythe District Council.
- 2.2 The site is bounded by a fence that demarcates the dog-walking area. There are other outbuildings located in the applicant's ownership which have been present for many years. These are considered lawful by the passage of time and are not included on this application. The two small field shelters erected in association with the dog walking business have a predominantly wooden appearance and are of small scale.
- 2.3 The site can be accessed from the Town Centre using the bus stops located on Horn Street which is c. 0.27 KM away.
- 2.4 The closest residential property to the site is Casebourne Cottage, Underhill Road, Folkestone, Kent, CT20 3JH, where the applicants live. This is approximately 50 metres to the east of the dog walking field. The next nearest residential property is located approximately 70 metres to the east of the site. Parking is provided for clients via the applicants' driveway and the field is a short walk from this parking.
- 2.5 Several other business uses operate along Underhill Road such as Lisa Stock Equine Services, Matthews Garden Services and EASE Distribution Ltd.
- 2.6 The site is located within a local landscape area.

3. Planning History

- 3.1 Relevant planning history related to the site is limited.
- 3.2 Planning application **Y03/1058/SH** relates to a nearby field where a change of use application was submitted to allow for agricultural land to be converted for the keeping of horses and the construction of a manage. The application was approved in 2003.
- 3.3 There are no further applications of relevance.

4. Proposal

- 4.1 The proposal seeks to gain retrospective permission for the change of use for the existing field to an area or place for outdoor recreation for private hire dog walking (not involving motorised vehicles or firearms use) with 2 associated small scale field shelters.
- 4.2 The operating hours will vary seasonally. GMT opening will be 8:00-16:30 and BST will be 8:00-19:30.
- 4.3 The booking process allows for hour, or half an hour slots to be booked by customers, but a maximum of 8 bookings slots are available per day. The business managers allow at least a thirty-minute changeover period between booking slots to allow clients to pack up cars and exit the site, before the next clients arrive. This is completely within the applicants control to achieve a smooth and efficient operation. No clients are allowed to arrive at the business without a booking slot and the business does not allow informal drop in usage.
- 4.4 Parking is provided by the applicants on their property's driveway at Casebourne Cottage, Underhill Road, Folkestone, CT20 3JH. Three parking spaces exist on the applicant's driveway as shown on the block plan. The applicants have a double garage that provides two parking spaces. This is for the applicants use only. The majority of bookings only require one car, but a second parking space is available for a second car should an additional driver need to attend the booking, but this is not typical. This provides off street parking for the existing dwelling and for the existing business within the applicants control, ensuring through traffic along Underhill Road is not impacted by the business.
- 4.5 The applicants operate a 'meet and greet policy' where they meet new clients and direct them to said parking facilities. Therefore, all returning clients know exactly where to park. There is a thirty-minute switchover period between clients meaning that adequate parking is always available.
- 4.6 The proposal seeks to increase the availability of accessible green space helping to promote a healthy lifestyle and positive mental wellbeing.
- 4.7 Access to the site can only be achieved on foot providing further justification for the use of the applicant's driveway to remove vehicular obstacles along the roadside. This is especially pertinent considering the variety of other businesses that operate along Underhill Road and the willingness of the applicants to prevent any roadside congestion caused by customers.

5. ASSESSMENT AGAINST RELEVANT PLANNING POLICY

- 5.1 The application needs to be assessed against relevant planning policy, and a decision made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the development plan is the Folkestone and Hythe District Council (2020), Shepway Core Strategy (2013) and other supplementary planning guidance. The National Planning Policy Framework (NPPF) is a material consideration in all planning decisions and will be referred to throughout the course of this statement.

National Planning Policy Framework (2019)

- 5.2 Paragraph 2 of the NPPF sets out the purpose of the planning system is to achieve sustainable development. The economic objective is to build a strong economy and support growth; the social objective is to build a strong competitive economy and support growth; the social objective is to support strong, vibrant and healthy communities with accessible services and lastly the environmental objective is to enhance the natural and built environment and make efficient use of the land.
- 5.3 The change of use proposal adheres to all of these principles. Economically, it supports a small business in a rural area in close proximity of the applicant's personal residence in favour of security and sustainability. Socially the proposal will create a healthy and safe environment for recreation whilst from an environmental perspective, the site is in a Local Landscape Area and would allow for greater space to appreciate the countryside.
- 5.4 NPPF 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.

- 5.5 The proposed development is considered to gain substantial support from Paragraph 83. The proposal represents the rural land-based diversification and leisure development which is supported by the NPPF and it respects the character of the countryside and benefits the rural economy. The proposal also represents the development of new accessible local services to the local community. The proposal therefore gains significant weight from the NPPF Paragraph 83.
- 5.6 Paragraph 84 states that decisions relating to rural businesses need to be sensitive to their surroundings so that it does not have an unacceptable impact on pre-existing highways. The business operation has been designed in a way to ensure off street parking is provided, and can be successfully managed to ensure it does not impact on the flow of traffic, or highway safety. Paragraph 109 states Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. For the reasons mentioned the proposal is not considered to cause severe impacts on highway safety.
- 5.7 Additionally, the proposal has a negligible impact on the visual amenity of the area highlighting that it is an appropriate, sensitive use of the land. Furthermore, it is noted by the applicant's vet in the supporting letter seen in Appendix 1 that it is 'sufficiently distanced from any neighbours that the restricted use times would pose minimal disturbance to any persons.' This will be supported by the acoustic surveying to follow after submission.
- 5.8 As outlined elsewhere in this statement, there are several businesses operating along Underhill Road. Many of these have daily vehicular trips to them for operational purposes and the proposed use would not materially affect the operation of the highway network, and clients will only use domestic vehicles.
- 5.9 Due to the limited number of bookable slots available per day, excessive levels of trips will be avoided by the proposal and as such, pre-existing roads will be protected. Additionally, off-road parking is provided for clients via the applicants' driveway. As such, there is no significant negative impact on other road users.
- 5.10 Paragraph 91b of the NPPF states that planning policies and decision should aim to achieve healthy inclusive and safe places which are safe and accessible, so that crime

and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

- 5.11 The application site seeks to achieve this. Through making the application site lawful there is an opportunity to regularise an area where the local community can walk their dog in a safe, contained environment both for them and their pet. This would widen the choice of dog walking facilities also catering for owners who may have fear of crime, or other mental health issues which dissuade them from using other public open spaces. It would also provide opportunities to exercise dogs away from others in public spaces, suiting dogs which may have anxiety or aggression around other dogs. This in turn would assist in fulfilling the requirements of legislation such as the Animal Welfare Act 2006, which states that there is a legal requirement for those responsible for dogs to provide them with 'suitable exercise'. Overall, the proposal is considered to offer a valuable alternative to traditional open spaces for dog walking which can enhance the quality of life of owners and pets in the local community.
- 5.12 The Kennel Club Dog Owners Group (KCDOG) have stated that there is 'big demand for enclosed spaces where dogs can be let off the lead due to increases in access restrictions.' In assessing this application, Folkestone and Hythe Council can provide a safe, controlled environment for customers to meet requirements of this act. Due to the statutory nature of the Animal Welfare Act 2006 and the welfare related nature of the KCDOG's statement, these should be given weight in support of this application.
- 5.13 The applicant's Vet has also sent a letter in support of the application which confirms its accordance with the requirements set out by the Animal Welfare Act 2006 and the KCDOG statement. This states that the concerned site is 'a much needed facility as well as a safe place to conduct dog training exercises.' This can be seen in Appendix 1.
- 5.14 Paragraph 96 of the NPPF states that access to high quality open spaces and opportunities for physical activity is important for the health and well-being of communities. Planning policies should be based on robust, up-to-date assessments of the need for open space, sport and recreation facilities as well as opportunities for new provision.
- 5.15 S&S Doggie Field seeks accordance with this policy as it recognises the importance of open space for physical activity and its role in promoting positive physical and mental health. As such, the applicant's business helps to contribute to the wider goal of creating a more active and healthy community through the provision of their dog-walking field.

- 5.16 Paragraph 127 of the NPPF states that planning decisions should aim to ensure that proposals will add to the overall quality of the area over the lifetime of the development and are sympathetic to local character; including the surrounding built and natural environment. The proposal's minimal built form is in keeping with the rural character of the area which already hosts built form, and small rural businesses.

Folkestone and Hythe District Council Local Plan (2020)

- 5.17 Policy NE3 outlines the role of Local Landscape Areas which the application site falls under. It states that applications should seek to protect or enhance the landscape character of Local Landscape Areas. The council will not permit development proposals that are inconsistent with this objective, unless the need to secure economic and social wellbeing outweighs the need to protect the area's local landscape importance.
- 5.18 The change of use is in keeping with the objectives of the local landscape area. There is minimal built form associated with the proposal and as such this will not detract away from the visual amenity of the area. The proposal is largely relating to the change of use of the field and as such, no large-scale development is being proposed that could detract away from the appearance of the area.
- 5.19 Policy CC3 relates to Sustainable Drainage Systems (SuDS). It states that development will be permitted if surface water is managed close to its source and on the surface where it is reasonably practicable to do so. The proposal will maintain the primacy of greenfield land and will not affect green field runoff rates.
- 5.20 Policy HB1 relates to ensuring the amenity of residents neighbouring new developments are not harmed. The dog walking use is small scale and will not lead to adverse impacts of the amenity of neighbours. As mentioned, acoustic surveying has been undertaken to ensure that any noise generated is understood and mitigated. It is expected the noise generated would be akin to domestic level of dog ownership and given the distance from neighbouring residential dwellings, this would not cause undue disturbance which is contrary to Policy HB1.

Core Strategy (2013)

- 5.21 Policy CSD3 (Rural and Tourism Development in Shepway) states that proposals for new developments outside of the Settlement Hierarchy may only be allowed if a rural or coastal location is essential, and to meet green infrastructure requirements. Developments in these locations will only be allowed for a number of reasons including:

"d. local public/essential services and community facilities in line with policies SS3/4"

5.22 Insights provided by the applicant show that approximately 50% of the people who have used S&S Doggie Field are from Folkestone and as such it helps to provide an effective and accessible community resource.

5.23 Policy SS3 seeks to direct development towards existing sustainable settlements to protect the open countryside and coastline. A number of requirements for developments are outlined within the policy and include:

"Development must address social and economic needs in the neighbourhood and not result in the loss of community, voluntary or social facilities (unless it has been demonstrated that there is no longer a need or alternative social/community are made available in a more suitable location)."

5.24 The application would help to develop local public services; providing a community and social facility for members of the public. Therefore, the proposed change of use would be in keeping with the character of the area for this type of location and adheres with the above policies.

6. CONCLUSION

6.1 The application site seeks permission to regularise a change of use to allow a dog-walking business to continue in operation at the site.

6.2 This Statement has explained the use is appropriate within the location in which it is set and provides added opportunities for safe, outdoor recreation which will be of significant value to the local community whilst assisting in meeting ambitions for safe exercise and the associated welfare concerns outlined by the KCDOG. The proposal also gains significant support from the NPPF for the rural land-based leisure recreation it provides, and diversifying the rural economy.

6.3 The site provides sufficient car parking for its clients ensuring there is no adverse impact on road capacity. Additionally, with the site being accessible via public transport, other sustainable transport access options are of benefit to the site.

6.4 The proposed change of use has been shown to adhere to all relevant development plan policies. In this instance, the NPPF, Core Strategy (2013) and Folkestone and Hythe District Council Local Plan (2020) provide further support for the application. Furthermore, the change of use will assist dog owners in meeting their legal obligations under the Animal Welfare Act 2006.

- 6.5 It is therefore respectfully requested that planning permission should be granted, providing a recreational facility for the public whilst enabling the Folkestone and Hythe Council to support a vibrant small business.

APPENDIX 1



■ Barrow Hill Veterinary Group
Maidstone Road ■ Ashford
Kent ■ TN24 8TY
Tel: 01233 624687
✉ reception@barrowhillvets.com

■ Bull Cottage ■ Cannon Street
New Romney ■ Kent
TN28 8BJ
Tel: 01797 363177
✉ newromney@barrowhillvets.com

■ 2 Fort Road ■ Hythe
Kent ■ CT21 6JS
Tel: 01303 269000
✉ hythe@barrowhillvets.com

■ www.barrowhill-vets.com

To whom it may concern,

Re Mrs Suddens, Casebourne Cottage, Underhill Road, Folkestone, Kent. CT20 3JH

Dear sirs,

I am the attending veterinary surgeon to Mrs Suddens, and have looked after their pets for the last 15 years. They have always maintained the highest standards of care for all their various pets. There is a need for secure and safe dog exercising areas in the Hythe area. The area that they have put to use meets both these requirements and is also sufficiently distanced from any neighbours that the restricted use times would pose minimal disturbance to any persons. Many people do not have ready access to such a usefull area especially those of limited mobility. This area will provide a much needed facility as well as a safe place to conduct dog training exercises for puppies and younger dogs. In my opinion this is a well located and excellent facility that should be supported by all.

Antony Hinge B.Vet.Med. MRCVS
Clinical Director

1.12.2020

