

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
23/02221/FP	Change of use of field to dog walking field, including installation of fencing. Retention and completion of existing agricultural track and visitor parking area (as amended by plan received 15th November 2023).	Land To The West Of High Street Graveley Hertfordshire SG4 7LE

Submitted Plan Nos

Appendix A GROWWS-1-5-001 rev A Appendix B GROWWS-1-1-002 rev B AMENDED AppendixC
GrowWS-1-1-003B

SP5	Countryside and Green Belt
D1	Sustainable design
D3	Protecting living conditions
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

2.1 None.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – 13 comments have been received from interested parties, objecting to the proposal on the following grounds (summary):

- ☐ The presence of dogs/cars in this field will cause a nuisance to neighbours.
- ☐ Comparison to another dog walking facility in Weston that is located away from residential properties.
- ☐ The pathway (017) in front of and next to the entrance to the site is used by local children on their way to school, which is a potential safety issue.
- ☐ The driveway/hardstanding area was developed without planning permission.
- ☐ People who use these facilities for unfriendly/untrained dogs which is not appropriate in the village centre.

- ☐ Impact of the proposal on the value of adjacent properties.
- ☐ The access and exit are unsafe, due to poor visibility splays and use of the pavement by pedestrians.
- ☐ The proposal is inappropriate development in the Green Belt.
- ☐ Part of the site is within the Conservation Area.
- ☐ The proposal would have a detrimental impact on the amenities of neighbouring properties, through visual impacts of the fencing and nuisance from the associated activity.
- ☐ The proposal would compromise the use of agricultural land.
- ☐ Inaccurate statements made in supporting documents.
- ☐ There is no need for another dog walking facility when there are several other local ones.
- ☐ Consideration of a dog walking facility in Preston which was refused under ref: 21/03142/FP.
- ☐ The proposed opening hours are inappropriate.
- ☐ There are no proposals to limit the number of cars, people or dogs using the facility.
- ☐ There are no proposals for on-site monitoring of noise, rubbish, and dog waste disposal.
- ☐ The proposal will affect the outlook of properties onto this field.
- ☐ Consideration of conditions if permission is granted, relating to hours of operation, the materials used on the fence/hardstanding areas, and that no lighting can be erected on site.
- ☐ Mischaracterisation of use of land as 'recreational activity'.
- ☐ The impact of visiting dogs on dogs living at nearby properties will be adverse.
- ☐ This type of activity could be located elsewhere, as it is introducing an intensive commercial use into the countryside.
- ☐ The site is not staffed so relying on customers to clear the site of litter/dog waste could be harmful.
- ☐ This proposal is not the optimum viable use of the site, and the public benefits are limited.
- ☐ The proposal is contrary to several Local Plan policies and sections of the NPPF.

3.2 Graveley Parish Council – “Graveley Parish Council objects to this planning application. Their comments are as follows:-

This retrospective planning application is to have a dog walking field with visitor parking in the field between The George and Dragon pub and Ash Brook. The proposed entrance, which is between The George and Dragon and Waggon and Horses pubs, is right in the centre of Graveley, a small, quiet and historic rural village.

The entrance and track is within the Graveley Conservation Area, and the northern edge of the parking area and exercise field abuts the southern edge of the Conservation Area. It is NOT as described in the application: 'a small section of the track is within the Conservation Area' (all of it is) and 'the field is some way from the Conservation Area' (it abuts the southern edge). All of the proposed site is within the Green Belt.

This proposed development is entirely inappropriate for the centre of a small peaceful village such as Graveley. The proposed area is surrounded on three sides by residential properties : four houses along High Street, The Waldens (which faces directly onto the proposed car park and field -this house is NOT partially screened as claimed as there is

a clear view from upper and lower storey windows and the front of the house) and Pondside Cottage to the west, and (as not mentioned at all in the application) less than 30m from the access track to the north is the attractive Graveley village ponds area with historic buildings behind. The access track and/ or field is visible from many of these residential properties, several of which are Grade 2 Listed. The site IS also visible from the footpath that leads from High Street to Pondside.

The proposed field is close to a children's play area (across Ash Brook) and is fairly close to and clearly visible from the village school.

Residents around this proposed dog exercise field are all strongly against this development. It is disingenuous for the applicant to claim that 'dogs that are being exercised are very unlikely to be barking'. An internet search immediately reveals the issue of noise associated with dog walking fields - from barking dogs, from owners shouting, using whistles or even megaphones - and some sites include warnings to users to not let their dogs bark excessively and not to make too much noise. Dog behaviour is unpredictable and dog walking fields should be in remote areas and not close to residential properties.

This proposal would significantly harm the amenity of the many neighbouring properties from the noise of barking dogs, noisy owners shouting at and calling their dogs, the use of whistles etc. Hedge screening for the four properties along High Street and Pondside Cottage would not block out noise that these properties would be subjected to in their houses and gardens. The Waldens would be subjected to uninterrupted views of and noise from the proposed activity. The high fence described is not in keeping with openness of the Green Belt.

This development is inappropriate in a Conservation Area and within the Green Belt. It would be harmful to the character and appearance of the countryside and locality.

There are existing dog exercise fields in Weston (4 miles away) and St Ippolyts (3 miles away) and two more facilities very close to Stevenage (Aston and Datchworth) and all of these have plenty of availability when checked. Hence there is no shortage of availability for accessing dog walking fields in the immediate area. Graveley is a small village so it is reasonable to assume that most customers would be driving in from surrounding areas. They could very easily drive to one of the other sites. It is important to highlight that the site in Weston is in the middle of fields with no residential properties nearby, and the site in St Ippolyts and entrance is right on the edge of the village well away from the village centre. Only two residential properties are nearby and people at both these properties said they could hear barking dogs from the field, showing that noise is an issue.

It is worth highlighting that an application for a dog exercise field in the village of Preston (21/03142/FP) was recently REFUSED (March 2022).

The field has occasionally been accessed by agricultural vehicles in recent years. The proposed access track between the two pubs lies immediately adjacent to the footpath leading to Pondside. There is no barrier between the two and they are on the same level. This footpath is heavily used by parents with pushchairs and children going to and from the school and people walking between High Street and Pondside to houses beyond. The use of the access track by cars possibly 20-30 times a day, even in the dark, is very dangerous to pedestrians.

The work on the access track and parking area was started suddenly. No information was given to residents and although residents and a Parish Councillor informed the workers that Planning Permission was likely to be required, work continued from 7am to 7pm even over the weekend until stopped by the Planning Enforcement Team. It is difficult to understand how the applicant did not know Planning Permission was required when last year they also had to apply for retrospective planning for their site in Tewin.

The proposed opening hours of 5am to 10pm are totally unacceptable for a small rural village. The noise from cars travelling along the access track, opening and shutting car doors and car headlights, in addition to noise from dogs and owners, would create significant disturbance and affect the amenity of neighbouring residential properties.

There would be no-one on site to monitor use of the facility (eg noise, disposal of dog waste, rubbish) and there are no limits set on the number of cars and dogs that could use it at any one time. No attempt has been made to consider the location and amenity for local residents.

A change of use for this area may lower the planning protection for the land which may be taken advantage of in the future. This proposal by reason of its siting, size, design and appearance would not be acceptable and would be harmful to the character and locality.

The proposal does not comply with Policies SP1, SP2, SP5, SP9 and SP13 of the North Hertfordshire Local Plan 2011-2031, or Sections 12, 13 and 16 of the National Planning Policy Framework. The proposal by way of its siting, design, layout and use would result in loss of amenity to nearby dwellings through the generation of noise and other forms of disturbance and loss of privacy. The proposal does not comply with Policies SP1 and SP9 of the North Hertfordshire Local Plan 2011-2023, and Sections 12, 13 and 16 of the National Planning policy Framework.

The proposal has significant issues with vehicle access for highway safety including for pedestrians on footpath 017 as defined by Policies 17 and 21 of Hertfordshire's Local Transport Plan (2018). Graveley Parish Council agrees with all the safety concerns raised by Hertfordshire Highways for this proposal.

Graveley Parish Council urges the Planning Officers to refuse this application. It is entirely inappropriate in a small rural village like Graveley within the Graveley Conservation area and Green Belt.

*However, if Planning Officers do not act on our many concerns we request that some strict conditions must be applied to try and minimise the disturbance to local residents:
Opening hours limited to 8am to 6pm in summer, 8am to 4pm in winter
Limit the number of vehicles accessing the site to no more than 2 at any one time
No more than 4 dogs at any one time
No lighting to be allowed on site at any time
No buildings, tyres, apparatus or other structures allowed
No organised events, training sessions etc".*

Following receipt of this formal objection from Graveley Parish Council, I emailed the relevant Ward Councillors to consider whether they would like this application called-in

to Planning Control Committee, or if this could be determined under delegated powers. After 5 working days, neither of the Councillors confirmed that they wanted to call this application in to Planning Control Committee.

3.3 Hertfordshire Highway Authority – Comments were received on the 16th October 2023 stating the following:

“Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

The width of the proposed access road (approximately 2.5m wide) is not wide enough to support two vehicles to pass each other or for non-motorised users to access the site safely without fear and intimidation from motorised users. There are concerns of conflicts between pedestrians on Graveley Footpath 017 and the proposed vehicular access.

Reason: To ensure construction of a satisfactory development in the interests of highway safety in accordance with Policies 17 and 21 of Hertfordshire’s Local Transport Plan (adopted 2018)”.

Upon receipt of this formal objection, the agent considered the comments and provided an amended site plan and a formal note in response to Highways on the 15th November 2023. Upon re-consultation with the Highway Authority, the following formal response was received on the 21st November:

“Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition 01: Fencing adjacent to PRow Prior to the first commencement of any works, details of the fence design that is proposed to be located adjacent to the PRow must be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (adopted 2018).

Condition 02: Vehicular Access Design Prior to the first use of the development hereby permitted the vehicular access improvements, as indicated on drawing number GROWWS-1-1-003, shall be completed and thereafter retained in accordance with details/specifications submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The site shall be operated as inline with the procedures set out in the applicant’s Highway Response Letter without restricting booking for non-motorised users.

Reason: To ensure construction of a satisfactory access and satisfactory operation of the site in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (adopted 2018).

The Highway Authority notes the submission of additional information in response to previous highway objection.

Drawing GROWWS-1-1-003 shows a hardstanding where vehicles can wait, and the applicant proposes to provide a fence to create a barrier between footpath 017 and the access road to prevent direct interaction with pedestrian which is acceptable.

The proposed booking arrangement to prevent visitor arrival and departure time outside the morning and afternoon peak school hours is acceptable.

It is noted that the applicant proposes to run a car only access facility to limit the potential interaction with pedestrians given the limiting width of the access road. Though this is reasonable, it will be difficult to enforce and will be contrary to LTP4 Policy 7 which seeks to promote active travel.

The proposed booking process should provide slots for pedestrians outside vehicle arrival departure times rather than precluding access to non-motorised users.

Conclusion The Highway Authority wishes to raise no objection to the proposals subject to the conditions and informatives above”.

- 3.4 **Environmental Health (Noise)** – *“I have no objections to the proposals, however, have some comments to make and recommendation of conditions for noise control.*

Noise:

The application is supported by a planning, design and access statement. This statement stipulates a number of other similar applications, both North Herts Council and elsewhere, where such facilities have been permitted. These are all duly noted, however, none have such permissive hours of operation as proposed with this application. It is my understanding that you have already raised this with the agent and have negotiated some further restriction on these hours and this is something I would endorse.

It is also my understanding that you are considering a temporary permission of 2 years which would offer the opportunity of assessing the facility and any impacts from the operation. This is something that I consider prudent.

In addition to these measures, I also recommend a condition requiring the submission of a noise management plan such that all the measures stipulated in the application can be secured for the life of the development and to ensure it is managed in accordance with the submitted information. Other information to be included in this document could be the hours of operation, any code of conduct policies for the customers, the use of whistles etc and exclusion of any problematic customers/particularly noisy dogs etc. I have drafted a condition below for your consideration.

The facility shall not be open to the public until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the hereby permitted facility. Any identified measures shall be implemented in accordance with the approved plan at all times.

Reason: To protect the amenity of neighbouring residents

You asked whether such conditions are commonly used. I can advise that indeed they are. In fact, such a condition was used by the planning inspector on one of the appeal decisions stipulated in the planning statement submitted with this application (APP/P1805/W19/3241000 – Worcestershire)”.

- 3.5 **Environment Agency** – *“Thank you for consulting us on this application, we have reviewed the information submitted and have no objection to the proposals.*

Informative

Please include the below informative for any permission granted.

Flood Risk Activity Permit The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)*
- on or within 8 metres of a flood defence structure or culvert including any buried elements (16 metres if tidal)*
- on or within 16 metres of a sea defence*
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission”.*

- 3.6 **County Council Archaeology** – No formal response received.

- 3.7 **Conservation Officer** – *“For the reasons given above it is felt that in heritage terms:*

The proposals would preserve the architectural and/or historic interest of nearby listed buildings and therefore complies with sections 16/66 of the Act.

The proposals would preserve the character and/or appearance of the conservation area and therefore complies with section 72 (1) of the Act.

I am likely to offer a NO OBJECTION recommendation. The scheme will satisfy the provisions of Sections 16/66 and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031”.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site forms part of a wider agricultural field located to the west of the High Street, Graveley. There is an existing access to the site off the High Street between the George and Dragon Pub and The Wagon and Horses Pub, which also comprises a public footpath (017) leading to Pondsides. The site is predominantly laid as grass but has some recently installed areas of hardstanding in the northern part of the field, located behind

the George and Dragon Pub and residential properties on the High Street. The field is relatively flat and is bounded by landscaping on its east, west, and south sides.

- 4.1.2 All of the site is designated as within the Green Belt and the northern part of the site between The Waldens and the parking area for the George and Dragon Pub is within the Conservation Area. The George and Dragon and The Wagon and Horses Pubs are both grade II listed, as is Pondside Cottage, which is a residential property due west of the northern part of the site. The site is also within Flood Zones 2 and 3.

4.2 **Proposal**

- 4.2.1 Planning permission is sought for the change of use of field to dog walking field, including installation of fencing. Retention and completion of existing agricultural track and visitor parking area (as amended by plans received 15th November 2023).
- 4.2.2 This application is part retrospective, due to the carrying out of works to the agricultural access track in July 2023, which has seen the laying of hardstanding for an access track and parking area from the existing access off the High Street, running south adjacent to the boundary with the George and Dragon Pub, before finishing southwest of the George and Dragon car park. The LPA was made aware of these works and requested that development cease until a formal decision has been made for this site. The Planning Statement suggests that the applicant was not aware that planning permission was required for these particular works and that a planning application was being prepared for the remaining elements that have not yet been implemented.
- 4.2.3 As such, this proposal is for the change of use of an existing agricultural field to a dog walking field, which would be facilitated by the erection of fencing and an enclosed visitor car park. The majority of the proposed fencing would be 1.8m tall timber post and rail stock proof fencing (deer fencing), spanning approx. 250m in length and 40m wide at its widest point at the south of the field. The proposal would also incorporate the erection of a field gate, to secure the car parking area, and a wire mesh and metal personnel gate, which allows entry into the secure field from the secure parking area. There are no buildings or external lighting proposed with this application. Moreover, this application looks to retain and complete the works already undertaken at the site to the access track and parking area.
- 4.2.4 The use of the site as proposed is explained in detail within the submitted Planning Statement. Relevant parts of the Planning Statement have been extracted below that explain how the proposed use is to operate:

“Advance bookings are required to use the dog walking field, with each booking lasting for 30 minutes or an hour. Similar sites have an average of 12 bookings per day. Hours are flexible to allow dog owners to book outside of normal working times.

Dog owners access the Grow Walkies website where they can book and pay for their slot. On arrival at the site, they are required to close the gate to the parking area before unloading their dogs. This is for the safety and security of the dogs and to prevent dogs from accessing the wider field. When they are ready to enter the dog walking field, they call the access phone number from the mobile phone number they supplied at the time of booking, and this electronically unlocks the gate. Once their booked time slot ends,

their unique access code and phone will no longer open the gate to the dog walking field ensuring that owners cannot stay for longer than the time they have booked for.

The parking area allows sufficient area for manoeuvring cars during changeover periods and enough parking for Grow Walkies staff to park when checking on the dog walking field during operational hours. During changeover times there may be a short period when two cars will be parked in the parking area. Most of the time there will only be one car present. No cars are left in the parking area overnight. The parking area is gated and is closed at the end of each day.

All visitors are required to keep the parking gate closed before unloading dogs and are asked to close the gate on exiting the site thereby keeping the site secure and maintaining safety for the dogs and other users.

Dog bins and a waste bin are provided in the parking area and another just inside the gate to the dog walking field. All dog owners are required to clean up after their pets. The field is checked weekly, and the dog bins are checked and emptied every other week. A company called Poo Patrol is employed to check and empty the dog bins.

The grass cutting and general maintenance of the field is carried out by contractors who are retained to carry out regular checks on the fencing and the grass cutting requirement.”

4.3 Key Issues

4.3.1 The key considerations are:

- ☐ The Principle of Development in the Green Belt
- ☐ Design/Impact on the Character of the Area
- ☐ Impact on Designated Heritage Assets
- ☐ Impact on the Amenities of Neighbouring Properties
- ☐ Flood Risk
- ☐ Transport and Highway Impacts
- ☐ Other Matters

The Principle of Development in the Green Belt

- 4.3.2 The site is designated as within the Green Belt. Policy SP5 of the Local Plan states that the LPA will only permit development proposals in the Green Belt where they would not result in inappropriate development, or where very special circumstances have been demonstrated. Section 13 of the National Planning Policy Framework (NPPF) notes that great importance should be attached to the Green Belt and that the main aim of Green Belt policy is to keep land permanently open. Paragraph 149 and 150 of the NPPF offers several exceptions to inappropriate development. In my opinion, the relevant criterions under these paragraphs are as follows:

“149 - A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and

allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”.

“150 - Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and”

- 4.3.3 The Planning Statement argues that the proposed use of the site as a secure dog walking facility falls within exceptions 149 b) and 150 e) of the NPPF, as a dog walking facility would class as a form of outdoor recreation, and it would be a material change of use of the land for outdoor recreation. This would dictate that the proposal would not be inappropriate development, so long as the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. However, this is disputed in some of the representations received by interested parties, including the Parish Council, who state that this proposal is inappropriate development in the Green Belt.
- 4.3.4 Four appeal decisions for the use of fields for dog walking facilities in the Green Belt have been supplied in support of the argument made by the agent, under appeal refs: APP/K3415/W/20/3264866 (Staffordshire), APP/P1805/W/19/3241000 (Worcestershire), APP/Y3615/W/17/3177460 (Surrey) and APP/M1005/W/21/3281517 (Derbyshire). I have considered all four of the appeal decisions and, except for the Surrey decision, which is also the oldest of the four, the Inspectors considered that the use of the sites for dog walking facilities constitute material change of uses for outdoor recreation, in accordance with paragraph 150 e) of the NPPF. In one of the appeal decisions from Worcestershire the Inspector considers that the exception under paragraph 149 b) only relates to facilities that are buildings, so in this respect I find that this is not relevant to the current application because there are no buildings proposed. All four appeal decisions were allowed, even though the Inspector for the Surrey decision considered that the use was inappropriate development, weighing up the benefits to the scheme in their conclusion to justify Very Special Circumstances. Overall, having considered the argument put forward by the agent against these appeal decisions and the comments from interested parties, it is my considered opinion that the proposed use of this site would constitute a material change of use of land for the purposes of outdoor recreation, in accordance with paragraph 150 e) of the NPPF. Accordingly, the proposal constitutes a use that is not inappropriate in the Green Belt, so long as the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- 4.3.5 A fundamental aim of Green Belt policy, as set out in the NPPF, is to keep land permanently open. Openness can be considered as meaning an absence of built or urbanising development. The proposed development would comprise the erection of timber post and rail fencing around most of the site, a wire and mesh gate and a field gate. The scheme would also seek to complete the laying of loose hardstanding which would serve as the access track and parking area.
- 4.3.6 In my opinion, seeing as the proposal does not incorporate any buildings and consists of types of fencing and hardstanding, there will not be any spatial harm on openness.

- 4.3.7 Of the four appeal decisions submitted in support of this application, the Staffordshire decision under appeal ref: APP/K3415/W/20/3264866 saw the Inspector consider the impact of the physical works and intensity of use on the openness of the Green Belt. The Inspector considered that the erection of fencing, which was not solid or close boarded but see through, would have no effect on visual openness. In this respect, I draw similarities from that appeal decision to the current application, as the supporting documentation identifies that the type of post and rail deer fencing proposed would have a low visual impact as it is not solid. This is the same for the wire and mesh gate and the field gate, which are more solid in appearance but can still be seen through and are not out of keeping in rural areas. Moreover, the Inspector also considered the comings and goings of visitors to the site for the proposed use, acknowledging that the booking system and subsequent use of the site/parking of vehicles could give rise to visual impact on openness. However, the Inspector was of the view that the field could reasonably be used for the grazing of animals and associated vehicle activities and that the level of movements associated with the proposed use would be very similar to the existing agricultural use.
- 4.3.8 Considering the proposal before me, the supporting information suggests that similar dog walking sites have an average of 12 booking per day and that these will be on 30min/60min slots. Over the course of a day, whilst the coming and going of visitors may be somewhat noticeable compared to the existing situation, this level of use would not be intensive and would not be over and above what could be expected from the existing agricultural use in my opinion. Moreover, the laying of loose hardstanding material to facilitate the access track and parking area is a low-level form of engineering development and is limited to the northern part of the site. In my view, whilst the access track and parking area has been substantially completed without permission, I do not consider that this low-level aspect would result in visual harm to the openness of the Green Belt. As such, on balance, it is considered that when taking the similar appeal decision and the existing use of the site into account, the proposed use of the site for dog walking and the associated physical development would preserve the openness of the Green Belt. Mounting an objection on such grounds would not, in my opinion, hold up in a potential appeal scenario.
- 4.3.9 As stated in paragraph 138 of the NPPF, the “*Green Belt serves five purposes:*”
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”.*
- 4.3.10 In my view, this part of the Green Belt contributes to purpose c) and d). The field forms part of the countryside and is the point where existing development finishes before wider countryside begins. Moreover, the northern part of the site is within the Graveley Conservation Area and there are 3NO listed buildings nearby. Taking purpose c) first, it is considered that the proposed development which consists of fencing and low-level hardstanding has a low visual impact. The above sections have considered the physical development proposed and concluded that they would result in a low impact, such that they would preserve openness. In this respect, I consider that the proposed use of the site and the associated physical development would not conflict with purpose c).

Secondly, considering purpose d), the Council's Conservation Officer has formally commented on this proposal, stating no objection in heritage terms. Therefore, it is considered that the proposal would also not conflict with purpose d) in this respect as no harm has been identified on the setting and special character of historic towns, which are protected by heritage designations. As such, the proposal would not conflict with any of the purposes of the Green Belt in my view.

4.3.11 In conclusion, it is considered that the proposed development complies with paragraph 150 e) of the NPPF and is therefore not inappropriate development, subject to an assessment of the impact of the proposal on openness and the purposes of the Green Belt. The above sections have concluded that the proposal would preserve the openness of the Green Belt and would not conflict with any of the five purposes of the Green Belt. Therefore, the proposed development is not inappropriate development in the Green Belt. Very Special Circumstances do not need to be demonstrated.

4.3.12 This is in accordance with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Design/Impact on the Character of the Area

4.3.13 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy SP9 of the Local Plan further considers that new development will be supported where it is well designed and located and responds positively to its local context. These considerations are echoed in Section 12 of the NPPF.

4.3.14 The site is an open largely flat field in agricultural use, which contributes to the character of the countryside. The proposed use of this field would be facilitated by the erection of 1.8m tall timber post and rail stock proof fencing (deer fencing), spanning approx. 250m in length and 40m wide at its widest point at the south of the field. The proposal would also incorporate the erection of a field gate, to secure the car parking area, and a wire mesh and metal personnel gate, which allows entry into the secure field from the secure parking area. The scheme would see the completion of the already substantially completed access track and parking area in loose hardstanding. There are no buildings or external lighting proposed with this application.

4.3.15 In my opinion, the visual impact associated with the proposed physical development to facilitate the use of this field as a secure dog walking facility has been comprehensively considered in the previous section of this report. The majority of the fencing would comprise of post and rail deer fencing, which is largely see through and not uncommon in rural areas such as this. The field gate and wire and mesh gates are more solid in comparison but are still relatively see through such that they would not have a significant visual impact in my view. It is also worth acknowledging at this stage that permitted development rights for gates, fences, walls etc are established under Schedule 2, Part 2, Class A of the General Permitted Development Order 2015, where the applicant could erect similar forms of development without the need to apply for planning permission. It is common for secure dog walking facilities to be located on large fields and to utilise fencing that has a low visual impact on the locality, as seen in other recent planning applications under refs: 23/00338/FP and 22/02763/FP. Moreover, the laying of hardstanding, which has already been substantially completed, would be towards the northern part of the site in close proximity to neighbouring built form and would be low level. Therefore, it is not considered to be materially harmful to the character of the area.

Overall, I consider that the erection of fencing and gates to facilitate the proposed use of the site would not be materially harmful to, or out of character with, the character of the area

- 4.3.16 Moreover, notwithstanding the proposed physical development, the use of the site for a secure dog walking field would result in change to the character of the area, through the comings and goings of visitors and parking of cars, compared to the existing situation. The submitted information states that similar dog walking sites have an average of 12 bookings per day, which would see the arrival and departure of 12 vehicles per day spread out over the usable times of the site, which is largely daylight hours as there is no external lighting proposed. Moreover, the site is currently under an agricultural use and could therefore be used for such purposes, which would entail the arrival of farming vehicles over the course of a day. Overall, whilst I acknowledge that the proposal will introduce a potentially more consistent use of this field compared to the existing agricultural use, I consider that the intensification of use over the period of a day would not result in material harm to the character and appearance of the area, as an average of 12 arrivals/departures is largely insignificant.
- 4.3.17 As such, the proposal is considered acceptable in design terms, in accordance with Policies SP9 and D1 of the Local Plan, as well as Section 12 of the NPPF.

Impact on Designated Heritage Assets

- 4.3.18 The northern part of the site between The Waldens and the parking area for the George and Dragon Pub is within the Conservation Area. The George and Dragon and The Wagon and Horses Pubs, which are either side of the existing access of the High Street, are both grade II listed, as is Pondsides Cottage, which is a residential property due west of the northern part of the site. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of planning powers, in conservation areas “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that where considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.
- 4.3.19 The Councils Conservation Officer has been consulted on this application and has provided formal comment, stating in conclusion:

“The proposals would preserve the architectural and/or historic interest of nearby listed buildings and therefore complies with sections 16/66 of the Act.

The proposals would preserve the character and/or appearance of the conservation area and therefore complies with section 72 (1) of the Act.

*I am likely to offer a **NO OBJECTION** recommendation. The scheme will satisfy the provisions of Sections 16/66 and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031”.*

- 4.3.20 Therefore, in accordance with the above formal comment from the Conservation Officer, it is considered that the proposed development would not result in any harm to the character of the Conservation Area or the setting and appearance of the 3No adjacent listed buildings. This is in accordance with Policy HE1 of the Local Plan and Section 12 of the NPPF.

Impact on the Amenities of Neighbouring Properties

- 4.3.21 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.
- 4.3.22 The site is a long and narrow stretch of field located due west of the High Street and due south and east of Pondside. There are several residential properties located on the High Street, namely No's 1, 1a, 3, 9 and 15, which have gardens that back onto the site directly. There are also residential properties located off Pondside, namely Waldens and Pondside Cottage, which face onto the site. The two pubs, The George and Dragon and the Waggon and Horses, are located either side of the existing access to the site. There are other properties further afield on Ashwell Close and Pondside that do not directly face onto the site but are within relative proximity.
- 4.3.23 It is acknowledged that the proposed use of this field as a secure dog walking facility will give rise to some impact upon the amenities of neighbouring properties, compared to the existing situation and use of the site. There have been several consultation responses submitted by the immediate neighbours to the site and the Parish Council, concerning the increased noise and disturbances that would be caused by the proposal, such as noise from cars on the access track and in the parking area, car doors, noise from dogs and from owners shouting affecting dogs living nearby, using whistles and megaphones. Concerns were also raised over the provision of external lighting at the site, which would have the potential to disturb neighbours.
- 4.3.24 The concerns of interested parties as stated above are noted in respect of noise and disturbance. That said, it is my view that the perceived impacts of this proposed use are being somewhat overstated. The level of noise arising from cars arriving and departing from the site and the closing of car doors will not be continuous or overly significant, due in part to the operation of the site which will see on average 12 cars per day using the facility and the fact this will be spread out over the course of a usable day. This level of noise and disturbance is not considered to be materially adverse, especially given that the parking area for the proposed use is almost immediately adjacent to the car park of The George and Dragon Pub, where this type of noise from the coming and going of cars and close of car doors will already be prevalent.
- 4.3.25 Furthermore, on the matter of noise arising from dogs and their owners whilst using the secure facility, it is noteworthy that dogs can be unpredictable and whilst some users of the site could be barking and shouting, other users may not. Due to the unpredictable nature of dogs barking and subsequent owners shouting to control their dogs, I do not believe the level and frequency of disturbance from this site would be materially harmful or enough to mount a reasonable objection, but I do acknowledge that there may be a case for further consideration of this potential impact. In this respect, I have considered other planning applications in the district for uses that would cause potential for noise from dogs and those decisions included a 2-year temporary condition, which allowed the proposed use to commence, and due time given to assess the full impact of the proposal

on the amenities of neighbours. In my opinion, this is reasonable to allow for the monitoring of disturbance. Other applications that have used this specific condition are as follows:

21/02190/FP – Farrowby Farm, Hinxworth: Continued use of agricultural land for the siting of a therapy pool for dogs and retention of existing therapy pool structure.

19/02939/FP - Land West of Chantry Lane, Little Wymondley: Change of use of land, shed and part of barn from agriculture to dog exercise park (sui Generis), erection of compost toilet and 2-metre-high fence (as amended and supported by information received 9th March and 21st April 2020).

The Councils Environmental Health Officer has formally responded to this application. The EHO has endorsed the inclusion of a 2-year temporary condition and the agreed hours of operation and has further advised the inclusion of a Noise Management Plan condition prior to the opening of the site to the public. However, given the imposition of conditions that give the site a 2-year temporary period and controls the hours of operation, it is considered that this condition does not meet the test for reasonableness as it would incur further cost to the applicant on top of already strict conditions. In the view of the LPA, the condition would be difficult to justify in the event of an appeal and we risk a costs award.

- 4.3.26 Moreover, concerning the use of megaphones and whistles, the agent has stated that the use of megaphones is not permitted within the facility and the use of whistles would not, in my view, be adversely impactful.
- 4.3.27 Overall, I do not consider that there are any materially adverse reasons to refuse permission on the grounds of neighbour amenity impacts. The imposition of a 2-year temporary condition will enable the proposed use to commence, whilst also allowing the monitoring of the impact the proposal may have on the immediate neighbours. This is reasonable in my opinion and as such, the proposal is deemed acceptable, in accordance with Policy D3 of the Local Plan.

Flood Risk

- 4.3.28 The site lies within Flood Zone 2 and 3. Paragraph 167 of the NPPF requires that applicants submit a site-specific flood risk assessment for all developments in Flood Zones 2 and 3 and if the development is greater than 1 Ha in Flood Zone 1.
- 4.3.29 The applicants have submitted a Flood Risk Assessment and the Environment Agency have provided formal comment on it, stating:
- “Thank you for consulting us on this application, we have reviewed the information submitted and have no objection to the proposals”.*
- 4.3.30 The Environment Agency have provided an informative that they would include should permission be granted, which is considered reasonable in my view. As such, on the basis of the above formal comment, the proposal is considered acceptable in terms of flood risk, in accordance with Section 14 of the NPPF.

Transport and Highways Impacts

4.3.31 The site is served by an existing access between the George and Dragon and The Wagon and Horses Pubs off the High Street which is immediately adjacent to a public footpath (017). The area between the two pubs and the northern part of the site behind the George and Dragon was laid with grass and used informally as an access for agricultural vehicles and nearby residents using the field. The applicant has laid loose hardstanding material from the access with the High Street, running south adjacent to the boundary with the George and Dragon Pub, before finishing southwest of the George and Dragon car park. This has been carried out without planning permission and the application is therefore part retrospective. Many interested parties have raised concerns about the suitability and safety of this existing access.

4.3.32 The Hertfordshire Highway Authority were consulted on this application and provided formal comment on the 16th October, objecting to the proposal on the following grounds:

“The width of the proposed access road (approximately 2.5m wide) is not wide enough to support two vehicles to pass each other or for non-motorised users to access the site safely without fear and intimidation from motorised users. There are concerns of conflicts between pedestrians on Graveley Footpath 017 and the proposed vehicular access.

Reason: To ensure construction of a satisfactory development in the interests of highway safety in accordance with Policies 17 and 21 of Hertfordshire’s Local Transport Plan (adopted 2018).

The proposals are not expected to have any detrimental impact in terms of highway capacity, however for the safe operation of the site, the Highway Authority cannot support this application.

The proposed width of the access road is not wide enough to ensure safe interactions between vehicles and also non-motorised users. The current proposals form a conflict with Graveley Footpath 017, and represents a risk to pedestrians of all ages and abilities.

The Highway Authority wishes to raise an objection to the proposals due to highway safety concerns and conflicts with pedestrians on the access road and on Graveley Footpath 017”.

4.3.33 The agent had sight of this formal comment and sought to submit amended plans and information in an attempt to overcome the objection from the Highway Authority. This included an amended site plan which showed an area of extended hardstanding within the site in the northern corner, to act as a passing place where vehicles can wait if there are vehicles looking to enter/leave the site at the same time. This also included provision by the applicant to provide a fence to create a barrier between the public footpath and the access road, to prevent any direct conflict between vehicles and pedestrians. Lastly, the agent provided a formal note to the Highway Authority which describes how the proposed use would operate to reduce the likelihood of two vehicles conflicting on the access track. The amended plans and supporting information were submitted to the LPA for formal consultation with the Highway Authority, who responded stating no objection subject to conditions, relating to the details of the fence adjacent to the public footpath being submitted and agreed prior to commencement and that the extended hardstanding area be completed prior to the first use of the development. As such, the amended plans

and supporting information has overcome the original objection from Highways, such that the proposal is acceptable in their view subject to conditions.

- 4.3.34 The access track and parking area which has already been substantially completed at the site allows for the coming and going of vehicles and space for the parking of approx. 5 vehicles. This appears to be suitable in terms of parking provision, given the description of the site's operation and management system in the planning statement which suggests that there are approx. 12 car visits per day and that most people book a slot for their personal use, meaning that there will likely be only 1 car on site at any one time (perhaps except for changeover periods). Overall, I consider that the access track and parking area, subject to the incorporation of more hardstanding for a passing place, is acceptable in planning terms.

Other Matters

- 4.3.35 This section will be responding to a number of points raised by neighbours and the Parish Council that have not been addressed in the body of the report.
- 4.3.36 Concerns were raised over the fact that this proposal is located within close proximity to neighbouring properties and that a facility such as this is not appropriate in the middle of the village. Comparisons have been made to similar facilities nearby that are more remote, suggesting that this proposal is therefore unacceptable and not required if there is capacity for users elsewhere. In my view, the fact that this site is within the centre of the village and is close to several neighbouring properties is not a reason in itself to refuse planning permission, especially given my considerations in the body of this report with respect to impact of neighbouring amenity, intensification of use, and the use of a temporary 2-year permission. Moreover, the existence of other similar facilities is not a sustainable reason to refuse planning permission.
- 4.3.37 Parties have also raised issue with the type of dogs that will be using this facility, stating that they will be untrained/unfriendly. This is not a material planning consideration in my opinion. However, the operational system of this proposed facility looks to ensure that dogs are always secured within fences/gates.
- 4.3.38 Concerns have also been raised regarding the impact of the proposal on nearby property values. This is not a material planning consideration.
- 4.3.39 It has also been stated that the proposed would compromise the use of agricultural land. Whilst this is noted, as the scheme would see the site be unable to be used for such purposes, I do not consider this to be a weighty objection as I understand that the farmer has several adjacent fields that can still be used.
- 4.3.40 Further concerns have been raised regarding the commercial nature of the site which is deemed not acceptable in the countryside. I do not concur with this view, given the existence of these facilities in the countryside, the low impact nature of the physical development required to facilitate the proposed use and the nature of the operational system used by the applicants, which will not be as intensive or commercial as some parties perceive.
- 4.3.41 A number of parties have mentioned a similar application for a dog walking facility in Preston which was refused under ref: 21/03142/FP, suggesting that this application is

similar and should therefore also be refused. This application was refused as it was considered to be harmful to the countryside and nearby listed buildings, as well as loss of amenity to neighbours. The agent has had sight of this concern and has provided a formal note in response, detailing the reason why this current proposal is materially different. Firstly, the application site is within the Green Belt whereas the refused scheme was in the Rural Area beyond the Green Belt, so there are materially different planning policy considerations with respect to Section 13 of the NPPF against an old Local Plan policy. Secondly, the site area for the refused scheme was 3 times as big as the application site and it was proposed to allow organised events at the Preston site, whereas it is not for the Graveley site. Thirdly, the refused scheme did not include any management strategy or provide facilities for users, whereas the application includes a detailed operational strategy including online booking, dog waste removal by a specialist company, and grass maintenance. Fourthly, the refused scheme was considered to cause material harm to nearby listed buildings and significantly impact on the privacy and amenity of the immediate neighbour. This is not the case for this proposal, as the Conservation Officer has no objection and I have considered that the scheme would not be materially harmful to amenity. The agent has made further reference to three other secure dog walking applications that have been approved in North Herts since the Preston one was refused. Overall, considering the current scheme against that refused scheme, I do not consider that they are similar in scale, operational nature, or their wider impacts on nearby receptors. It would therefore be unreasonable of the LPA to refuse this proposal based on this previous decision.

- 4.3.42 Further concerns have been raised in respect of the conditions that would need to be enforced if permission is granted, namely for the hours of operation for the proposed use (5am – 10pm), limiting the number of users on the site at any time, monitoring the site for rubbish, noise and dog waste, external lighting, and fencing/hardstanding areas. Considering the hours of operation, I consider that 5am until 10pm every day is too early/late for a use such as this. In my opinion, the hours of operation should be limited to the following to protect the amenities of neighbours: 7am – 9pm Monday to Friday, 8am – 6pm Saturday, Sunday, Bank/Public Holidays. Further concerns were raised in respect of potential conflict at the sites access between the future users of the site and parents/children walking to the nearby school, suggesting that use of the site should be conditioned outside of these peak school rush hours. Whilst I appreciate these concerns, it is not reasonable of the LPA to enforce a condition that restricts the use of this site to outside these hours, as it would not be enforceable. However, the agent has expressed that the applicant could be amenable to limit the use of the site during these times and this would be encouraged by the LPA, even if we cannot reasonably condition it. In my view, it is reasonable to include an informative that states that the proposed use of the site is carried out in accordance with the operational system outlined in the planning statement, even though this is tied in by Condition 2, which will also cover the monitoring of the site for rubbish/dog waste and grass maintenance. A separate condition will be enforced that states no external lighting will be erected on site. It is not reasonable in planning terms to limit the number of people who can use the site at any one time, as this will be controlled by the operator and their system. The fencing and hardstanding have already been considered to be acceptable in planning terms. I will also enforce conditions that state that no buildings/shelters shall be permitted without permission and that the storage of equipment or general paraphernalia associated with the dog walking use of the land will be allowed on site.

4.4 **Conclusion**

- 4.4.1 Overall, the proposed development is considered to comply with paragraph 150 e) of the NPPF and is therefore not inappropriate development. It is further concluded that the proposal would preserve the openness of the Green Belt and would not conflict with any of the five purposes of the Green Belt. Very special circumstances do therefore not need to be demonstrated.

I consider that the erection of fencing and gates to facilitate the proposed use of the site would not be materially harmful to, or out of character with, the character of the area. Moreover, whilst the intensification of use of the site would be noticeable compared to the existing circumstances, I consider that the intensification of use over the period of a day would not result in material harm to the character and appearance of the area, as an average of 12 arrivals/departures is largely insignificant.

The Council's Conservation Officer has formally commented stating that the proposed development would not result in any harm to the character of the Conservation Area or the setting and appearance of the 3No adjacent listed buildings.

With respect to the impact of the proposal on neighbour's amenity, on balance, I do not consider that there are any materially adverse reasons to refuse permission. The imposition of a 2-year temporary condition will enable the proposed use to commence, whilst also allowing the monitoring of the impact the proposal may have on the immediate neighbours. This is reasonable in my opinion and has been agreed by the agent.

The Environment Agency have no objection to the proposal subject to the inclusion of an informative. As such, the proposal is considered to be acceptable in terms of flood risk.

The agent has submitted further and amended information in order to overcome the initial objection from the Highway Authority, who now have no objections to the proposal subject to conditions. Overall, I consider that the access track and parking area, subject to the incorporation of more hardstanding for a passing place, is acceptable in planning terms.

The concerns of interested parties, including the Parish Council, have been comprehensively considered within this report. Whilst some of the concerns raised are not material planning considerations, some have merit, and the LPA will look to enforce conditions that cover such matters in the interests of neighbour amenity and protecting the character of the area.

As such, the proposal is therefore acceptable in planning terms, in accordance with Policy SP5, D1, D3, HE1 of the Local Plan, as well as Section 12, 13 and 14 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

4.6.1 The agent is in agreement with the proposed pre-commencement conditions.

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The use of agricultural land for the siting of a Dog Walking Facility hereby permitted shall be discontinued and the land restored to its former condition on or before 2 years from the date of this approval, unless planning permission is sought to formalise the development in perpetuity.

Reason: Permission has been granted for a temporary period solely to monitor the use and the appropriateness of the development in regards to amenity.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The premises shall not be used except between 0700 hours and 2100 hours Monday - Friday, 0800 hours and 1800 hours on Saturdays, Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In the interests of amenity.

4. Prior to the first commencement of any works, details of the fence design that is proposed to be located adjacent to the PRoW must be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

5. Prior to the first use of the development hereby permitted the vehicular access improvements, as indicated on drawing number GROWWS-1-1-003, shall be completed and thereafter retained in accordance with details/specifications submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The site shall be operated as inline with the procedures set out in the applicant's Highway Response Letter without restricting booking for non-motorised users.

Reason: To ensure construction of a satisfactory access and satisfactory operation of the site in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

6. There shall be no buildings, structures, hard surfaces, artificial grass, fences or other permanent means of enclosure on the application site in association with the approved

dog walking use, other than those approved as part of this application, unless first agreed in writing by the local planning authority.

Reason: In the interests of the appearance of the locality and openness of the Green Belt.

7. There shall be no external lighting unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the appearance of the locality within the countryside.

8. There shall be no external storage of equipment and general paraphernalia associated with the dog walking use of the land, unless otherwise agreed in writing with the local planning authority.

Reason: in the interests of the appearance of the locality within the countryside.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. The Local Planning Authority expect the site to be operated as stated below within the submitted Planning Statement:
 - Advance bookings are required to use the dog walking field, with each booking lasting for 30 minutes or an hour. Similar sites have an average of 12 bookings per day.
 - Dog owners access the Grow Walkies website where they can book and pay for their slot. On arrival at the site, they are required to close the gate to the parking area before unloading their dogs. This is for the safety and security of the dogs and to prevent dogs from accessing the wider field.
 - When they are ready to enter the dog walking field, they call the access phone number from the mobile phone number they supplied at the time of booking, and this electronically unlocks the gate. Once their booked time slot ends, their unique access code and phone will no longer open the gate to the dog walking field ensuring that owners cannot stay for longer than the time they have booked for.
 - The parking area allows sufficient area for manoeuvring cars during changeover periods and enough parking for Grow Walkies staff to park when checking on the dog walking field during operational hours. During changeover times there may be a short period when two cars will be parked in the parking area. Most of the time there will only be one car present. No cars are left in the parking area overnight. The parking area is gated and is closed at the end of each day.
 - All visitors are required to keep the parking gate closed before unloading dogs and are asked to close the gate on exiting the site thereby keeping the site secure and maintaining safety for the dogs and other users.

- Dog bins and a waste bin are provided in the parking area and another just inside the gate to the dog walking field. All dog owners are required to clean up after their pets. The field is checked weekly, and the dog bins are checked and emptied every other week. A company called Poo Patrol is employed to check and empty the dog bins.
- The grass cutting and general maintenance of the field is carried out by contractors who are retained to carry out regular checks on the fencing and the grass cutting requirement.

Reason: In the interests of ensuring that the proposal is carried out in accordance with the details set out in the planning statement.

2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - o on or within 8 metres of a main river (16 metres if tidal)
 - o on or within 8 metres of a flood defence structure or culvert including any buried elements (16 metres if tidal)
 - o on or within 16 metres of a sea defence
 - o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 8 January 2024	