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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

SBRice Ltd
Treath
Trewartha Road
Praa Sands
Penzance
TR20 9ST

Applicant:

Bone

PARTICULARS OF DEVELOPMENT

Application: 23/02221/FP

Proposal: 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).

Location: Land To The West Of, High Street, Graveley, Hertfordshire, SG4 7LE

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

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 2 October 2023, subject to the following condition(s):

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.
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:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 8 January 2024

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

NOTES

- 1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**
- 2 Applicants will need to pay a compliance fee where they request confirmation in writing of any planning consent, agreement or approval (commonly known as discharge of conditions) required by one or more conditions or limitations attached to a grant of planning permission.
- 3 The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse.

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available via the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application

- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.

- 5 If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of

London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 **Cadent Gas Informative:**

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.