

Planning Statement

For

Planning Application

At

land adjacent to

Higham Lane

Stoke Golding,

Leicestershire.

Introduction

This statement is submitted in support of the change of use to a dog exercise field on land adjacent to Higham Lane, Stoke Golding, Leicestershire.

This Statement has been prepared in accordance with the requirements of the Town & Country Planning Act 1990 (as amended by the Planning & Compulsory Purchase Act 2004) & the provisions of the Town & Country Planning (General Development Procedure) (Amendment) Order 2010 & Town & Country Planning (Development Management Procedure) (Amendment) Order 2015. In accordance with the National Planning Policy Guidance (NPPG), the level of detail presented in this statement is proportionate to the scale & complexity of the application. References were made to the relevant planning policies. These are predominantly the adopted & saved Local Plan policies as they take primacy in the determination of such an application where they are NPPF & NPPG compliant.

Policy Considerations

National:

NPPF & NPPG

Local:

DM 1 Presumption in Favour of Sustainable Development.

DM 4 Safeguarding the Countryside & Settlement Separation.

DM 10 Development & Design. DM17: Highways & Transportation

Other material planning considerations

The NPPF identifies three dimensions to sustainable development giving rise for the planning system to perform the roles below:

“An economic role – contributing to building a strong, responsive & competitive economy, by ensuring that sufficient land of the right type is available in the right places & at the right time to support growth & innovation; & by identifying & coordinating development requirements, including the provision of infrastructure.

a social role – supporting strong, vibrant & healthy communities, by providing the supply of housing required to meet the needs of present & future generations; & by creating a high-quality built environment, with accessible local services that reflect the community’s needs & support its health, social & cultural well-being; &

an environmental role – contributing to protecting & enhancing our natural, built & historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste & pollution, & mitigate & adapt to climate change including moving to a low carbon economy.”

Furthermore -LP policy should follow the approach of the presumption in favour of sustainable development where such development should be approved without delay. On this basis the Government is committed to ensuring the planning system supports all

sustainable development & that the system should not act as an impediment to appropriate activities within the countryside.

Local List Requirements

Due to the scale & nature of the proposal, the level of detail submitted with the application is considered proportionate. Schedule 4 of the DMPO details the statutory consultations required before the grant of permission. If during the determination period the statutory consultees request additional information & this is not provided by the applicant, the LPA could refuse the application for this reason. On this basis this section forms a notice under Article 12(1) (DMPO Amended July 2015) as the applicant considers the submitted information meets the requirements set out in article 34(6)(c) & any other information contained in the adopted Local List should be waived allowing the immediate validation of the application.

Principle of development

Section 38 (6) of the Planning & Compulsory Purchase Act 2004 instructs that planning applications must be determined in accordance with the provisions of adopted LP policy unless material considerations indicate otherwise. Paragraph 83 of the NPPF seeks that policies & decisions enable the sustainable growth & expansion of all types of business in rural areas, both through conversion of existing buildings & well-designed new buildings; the development of diversification of agricultural & other land-based rural businesses.

Operating hours

The hours of use will be the hours of daylight Monday to Sunday

Ecology

The existing field is currently managed as an intensive livestock grazing field and as such is an unsuitable habitat for protected species. The proposal will not require the removal of any mature trees or significant vegetation therefore the site is of 'limited wildlife value' consisting of maintained grassland (England Field Unit 2007). In terms of ecology appropriately worded precommencement conditions can be imposed should this be considered necessary. However, any conditions will need to be in accordance with sections 100ZA(4-6) of the Town & Country Planning Act 1990 that require the applicant's written agreement to the terms of a pre-commencement condition, unless prescribed circumstances apply.

Access, Parking & Highways

The dog exercise field will utilise the existing access & proposed hardstanding. Paragraph 109 of the Framework 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." The modest amount of development & the percentage impacts of this traffic are considered minimal meaning the impact of the development will have effectively 'nil detriment' & will not therefore adversely affect the current road network capacity or existing access arrangements.

Foul & Surface Water Drainage

It is not anticipated that the proposal will increase the volume of other foul waste or rainwater runoff. The hardstanding area for parking will be of compacted gravel ensuring that there will be no rainwater runoff.

Sustainability

The materials chosen for the proposal are to be sustainable, utilising timber posts for the new fencing & using compacted hardcore to ensure there is no rainwater run off. The hardcore area can be easily regressed over, should the site ever return to being purely agricultural land. These materials have been selected to ensure the proposal has as low an environmental impact as possible.

Amenity

The proposal is to meet every increasing demand for dog exercise parks in the locality.

Conclusion

The change of use to a dog exercise field is considered to be acceptable in principle & reflects similar approvals in this area of the Borough. in any detrimental impacts on the character & appearance of the existing landscape in relation to Policy DM4. There would be no harm to residential amenity or highway safety & thereby represents sustainable development as identified in the Framework & LP policy. The scheme represents an appropriate type of farm diversification activity that is supported at the National & Local level. On this basis the application is recommended for officer support & subsequent approval in accordance with the provisions of the Framework as the proposal compliments the rural character of the area & is appropriate in terms of both design & use in accordance with the case law.