

# Officers Report

## Planning Application No: 143301

**PROPOSAL:** Planning application for change of use of agricultural land to dog exercising park.

**LOCATION:** Land to the West of Reepham Village Hall Hawthorn Road Reepham Lincoln LN3 4DU

**WARD:** Cherry Willingham

**WARD MEMBER(S):** Cllr Mrs S C Hill, Cllr Mrs A Welburn and Cllr C Darcel

**APPLICANT NAME:** Mr J Good

**TARGET DECISION DATE:** 25/08/2021 (Extension to 5th November 2021)

**DEVELOPMENT TYPE:** Change of Use

**CASE OFFICER:** Dan Power/Ian Elliott

**RECOMMENDED DECISION:** Grant permission subject to conditions

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### **Introduction:**

The planning committee on 6th December 2021 resolved to defer this planning application for further information. The information required by the planning committee to allow for further deliberation was:

- Times of operation
- Seasonal times of operation
- Maximum dog numbers per hour booking

The agent was contacted and through the applicant responded to these questions by stating that the applicant was willing to suggest the following hours and dog numbers.

### Hours of Operation:

- November 1<sup>st</sup> to the end of February  
Mon-Sat 7am to 7pm  
Sun 8am-7pm
- March 1<sup>st</sup> to October 31<sup>st</sup>  
Mon-Sat 7am to 9pm  
Sun 8am to 9pm

### Dog Numbers:

Dog numbers would be a maximum of 3 dogs on the site per hour before 9am.

After 9am the site could have some group bookings which they envisage would be done by dog trainers for socialisation and integration sessions. After

9am the maximum amount of dogs on the site per hour could be up to 15 dogs.

These amended seasonal hours of operation and the dog numbers proposed are considered acceptable. The hours of operation condition will be amended to replicate the hours above and a new condition added on dog numbers.

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**Description:**

The application site is a flat area of agricultural land on the northern edge of Cherry Willingham adjacent Hawthorn Road and to the west of Reepham Village Hall. There is an existing field access to the south eastern corner of the field. The north east and south east boundary is screened by hedging and open to the south west and north west boundaries. Residential dwellings are to the south east with the Village Hall to the north east. Open fields are to the south west and north west. The application site is within the Parish of Reepham but adjacent the boundary of the Cherry Willingham Parish.

The application seeks permission for the change of use of agricultural land to dog exercising park.

**Relevant history:**

142894 - Pre-application enquiry for change of use of agricultural land to dog exercising park – Response sent 21/05/21

**Conclusion:**

*“In conclusion if a planning application were to be submitted the principle of the application is **likely to be supported**, however there are outstanding issues that should be addressed.”*

**Representations:**

**Cllr A Welburn:** Object and Call in to Planning Committee

Reepham Parish Council objects to this proposal as the field has been continuously and successfully farmed for many years, for me it is difficult to understand the positioning of the site when it would seem the site east of the tennis club is not so fertile, and the proposal would fit very well between the tennis club and the cemetery.

I also question the viability of the project and therefore future proposals that may open up farm land to a new housing estate, which is against the Local Plan. I would therefore request that this is determined by the planning committee to ensure appropriate conditions are put in place should they consider approval.

Local policy LP55 Part E, F and G.

**Reepham Parish Council:** Objections

Local policy LP55 Part E:

This proposal is not a proven business model, is not likely to provide any employment, is not in close proximity to an existing business, would inevitably result in a conflict with the residential amenity of the residential properties on the opposite side of the road and its industrial scale of 2 metre high wire mesh fencing and gates is not commensurate with the rural character of the location.

Local policy LP55 Part F:

The financial viability of this venture is questionable, its ability to support the farm enterprise is unproven and its location is not appropriate.

Local policy LP55 Part G:

This field has been continuously and successfully farmed for many years and it is difficult to understand how the application can be justified in relation to Part G. This aspect of the policy has been ignored in the application.

Given that the proposal does not comply with many aspects of the Local Plan, it is surprising that the pre-application advice from West Lindsey District Council (WLDC) was a positive one and Reepham Parish Council strongly urges the refusal of this application.

However, should WLDC consider granting approval RPC requests that such approval be made only on the basis that:

- 1) Any approval is a temporary one for a limited period – say 2 years.
- 2) At the end of the two years a new application to be made supported by full financial accounts to prove the economic viability of the project and also allow its future to be considered in the light of any historic nuisance experienced over the trial period.

However, this is very much a pre-cautionary counter measure following the reported response from WLDC and RPC remains totally opposed to the present application being approved in any form.

**Cherry Willingham Parish Council:** Comments

The Parish Council is aware that there many objections from local residents. The council would like a condition that if the business failed, the land should be returned to agricultural status.

**Local residents:** Representation received from:

64, 66, 70, 72, 76, 78, 80 Hawthorn Road, Reepham  
7 Bellwood Grange, Cherry Willingham

Objections (summarised):

Character

- Site too large
- 2 metre high metal fence inappropriate for rural site
- Hedge to front and side of village hall should be retained

- It will look like industrial/prison yard

#### Highway Safety

- It will bring extra traffic to the area
- Concern with parking

#### Residential Amenity

- Will bring extra noise to the area
- Encourage anti-social behaviour
- Noise pollution every day will impact those living nearby and working night shifts
- Hours of 6am to 9pm includes unsocial hours.
- We have small children and live opposite the proposed site 9pm including Sundays, which is too late to be open especially when children are trying to sleep!

#### Waste

- No provision for cleaning site of dog mess
- Will become one big dogs toilet
- How will dog waste be stored/moved

#### Use

No mention of monitoring the site for use and dog mess

#### Other

- Nuisance to tennis club and village hall
- Will lead to housing development on green belt
- Affect resale value
- No information on lighting
- Already excellent walks and dog walk areas at Cherry Willingham
- The land could be sold or rented to another farm to provide much needed food crops.
- This application is not likely to be a long term business as other similar sites have closed due to lack of support

**LCC Highways/Lead Local Flood Authority:** No objections with advice Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

#### **WLDC Environmental Protection:** Comments

Representation received 20th October 2021:

I agree that a dog waste management/odour plan should be conditioned.

With regards to the hours of use it is the 6am start that I have an issue with. There are residential properties directly opposite the proposed car park area

and there is likely to be noise from both barking dogs and car door/boots slamming when residents are still sleeping.

Representation received 15th September 2021:

If you are minded to approve this application I would request a condition to ensure that waste is collected regularly by a waste contractor. With regards to potential noise, although I accept the information on how the applicant will deal with complaints and issues I still have concerns about the proposed hours of use. Therefore I stand by the suggested times in my original comments.

Representation received 21st July 2021:

Noise:

The Planning Statement suggests that the site will be available between 6am and 9pm. These hours are unsuitable due to the close proximity of residential properties and the potential for dog barking. I would therefore suggest that the earliest use should be at least 7:30am and no later than 8pm. I assume that these hours will be reduced during the winter months as no lighting is proposed.

I understand that the applicant intends to operate an online booking system for the proposed facility. I would like the applicant to confirm how many users and dogs there are likely to be at one time and how any noise will be managed? For example how will noise complaints be dealt with?

Waste:

The applicant should submit details of how dog waste will be disposed of in order to prevent odour and flies. How will users be monitored to ensure they clear up after their animals and will the proposed bin at the entrance be emptied by a waste contractor on a regular basis?

**Ramblers Association:** No representation received to date

**Environment Agency:** No representation received to date

**LCC Archaeology:** No representation received to date

**IDOX Checked:** 13th December 2021

#### **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

#### Development Plan

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy.

LP13: Accessibility and Transport  
LP14: Managing Water Resources and Flood Risk  
LP17: Landscape, Townscape and Views  
LP21: Biodiversity and Geodiversity  
LP26: Design and Amenity  
LP55: Development in the Countryside  
<https://www.n-kesteven.gov.uk/central-lincolnshire/>

- **Reepham Neighbourhood Plan**

West Lindsey District Council has approved the application by Reepham Parish Council to have the parish of Reepham designated as a neighbourhood area, for the purposes of producing a neighbourhood plan. There is currently no neighbourhood plan to consider.

- **Lincolnshire Minerals and Waste Local Plan (LMWLP)**

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in February 2019. Paragraph 219 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- **National Planning Practice Guidance**
- **National Design Guide (2019)**
- **National Model Design Code (2021)**

<https://www.gov.uk/government/collections/planning-practice-guidance>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/962113/National\\_design\\_guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf)

<https://www.gov.uk/government/publications/national-model-design-code>

Draft Local Plan/Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

*(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Consultation Draft Central Lincolnshire Local Plan Review June 2021 (DCLLPR)**

The consultation on the Draft Central Lincolnshire Local Plan has now been completed and ran for 8 weeks from **30 June to 24 August 2021**. The plan addresses a range of issues such as climate change, housing, employment, shopping and more. In regards to paragraph (b) of paragraph 48 of the NPPF the consultation responses to the first (regulation 18) draft have now been published. The Summary document sets out the extent to which there were any Objections / Support / General Comment in regards to each policy. The Key Issues Report sets out a summary of the issues being raised, per policy. Finally, the consultation responses themselves can be viewed at the Consultation Hub (<http://central-lincs.inconsult.uk/CLLP.Draft.Local.Plan/listRespondents>)

Relevant Policies:

S1 The Spatial Strategy and Settlement Hierarchy

S5 Development in the Countryside

S20 Flood Risk and Water Resources

S46 Accessibility and Transport

S48 Parking Provision

S52 Design and Amenity

S56 The Historic Environment

S59 Protecting Biodiversity and Geodiversity

S60 Biodiversity Opportunity and Delivering Measurable Net Gains

S65 Trees, Woodland and Hedgerows

Policy S5 Part E and F are the principle policies. Neither policy is directly objected to in the Key Issues report and most comments are suggesting amendments rather than objections.

The draft plan review is at its first stage (Regulation 18) of preparation and is open to alterations so may be attached **limited weight** in the consideration of this application, subject to NPPF paragraph 48.

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Other

Natural England's Agricultural Land Classification Map 2010.

<http://publications.naturalengland.org.uk/category/5954148537204736>

## **Main issues:**

- Principle of the Development  
*Central Lincolnshire Local Plan 2012-2036  
Concluding Statement*
- Assessment of LP55 Part E (Non-residential development in the countryside) and Part F (Farm Diversification) of the CLLP
- Agricultural Benefit
- Visual Impact
- Surface Water Drainage

## **Assessment:**

### Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

### *Central Lincolnshire Local Plan 2012-2036:*

Local policy LP55 Part E of the CLLP sets out criteria for non-residential development in the countryside.

Local policy LP55 Part F of the CLLP sets out criteria for developing proposing agricultural diversification.

### *Concluding Statement:*

The principle of the development is acceptable subject to satisfying all other material considerations including the criteria of LP5 (Expansion of existing businesses) and LP55 Part E of the CLLP and Policy 5 Section 2 of the ONP.

### Assessment of LP55 Part E (Non-residential development in the countryside) and Part F (Farm Diversification) of the CLLP

Local Policy LP55 Part E states that *“proposals for non-residential developments will be supported provided that:*

- a) The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;*
- b) The location of the enterprise is suitable in terms of accessibility;*
- c) The location of the enterprise would not result in conflict with neighbouring uses; and*
- d) The development is of a size and scale commensurate with the proposed use and with the rural character of the location.”*

Local Policy LP55 Part F states that *“proposals involving farm based diversification will be permitted, provided that the proposal will support farm enterprises and providing that the development is:*

- a) In an appropriate location for the proposed use;*
- b) Of a scale appropriate to its location; and*

c) *Of a scale appropriate to the business need.”*

*The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;*

The development according to the submission has been submitted to raise income to support an existing farm enterprise. Farm enterprises are rural businesses which form an important part of the rural economy.

*Appropriate location of a size and scale commensurate with the proposed use (business need) and with the rural character of the location*

The site is located on agricultural land opposite the north west boundary of Cherry Willingham and shares the north east boundary with the Village Hall/Tennis Club. The dog exercise area would measure approximately 75 metres by 140 metres (includes the car parking area).

Locating a dog exercise site within the developed footprint of a settlement would be challenging, and we have not seen any evidence of sequentially preferable sites. Therefore its proposed location on the edge of and opposite the developed footprint of Cherry Willingham would remain an accessible facility and is more acceptable than an isolated location where customers would have to travel by vehicle to use. The proposed size and scale is considered proportionate to the proposed use to allow room for more than one dog at a time to exercise.

*The location of the enterprise is suitable in terms of accessibility;*

Objections have been received in relation to highway safety and parking. The proposed 6 bay car park would be accessed via an existing agricultural access off Hawthorn Road which is a straight 40mph road. There is a grass verge between the south west boundary hedging and the highway. The 6 bay car park is additionally of an acceptable size to cater for customers and allows space for vehicle turning within the site. The proposal would only modestly increase the volume of traffic on Hawthorn Road. All customers would have to book an hour slot online which stops customers from being able to turn up whenever it suits them. The Highways Authority at Lincolnshire County Council have raised no objections to the development.

The location of the site in terms of accessibility is considered acceptable and the development would not have a harmful impact on highway safety. It would be compliant with LP13.

e) *The location of the enterprise would not result in conflict with neighbouring uses; and*

Objections have been received based on the potential of odour and noise disturbance from the proposed use. The neighbouring uses are residential dwellings to the south east of Hawthorn Road and the Village Hall/Tennis Club to the north east. The application states that hours of operation are

proposed to be every day 6am to 9pm. Following negotiation this has been amended to 7am to 9pm.

#### Noise:

The proposed use would be expected to create noise from vehicle activity, people talking/shouting and dogs barking. The site is adjacent Hawthorn Road which as a busy highway connecting villages and Lincoln creates noise from vehicles and pedestrians using the public footpath (south east of Hawthorn Road). The traffic generated from the development would be modest and would not be considered to result in an unacceptable increase in noise.

The use of the site from people and their dogs would create additional noise in the area which could potentially have a disturbing impact on the local residents and the use of the village hall/tennis club. Concerns have been raised from the Authority's Environmental Protection Officer (EPO), particularly the 6am start. However a change to a 7am start has been agreed with by the applicant and accepted by the EPO. The times of operation can be secured by condition on the permission.

*In an email dated 4th August 2021 the agent has stated that "The online booking system is priced on a per dog basis from 1 to 3 dogs per booking, there will be an additional option of group bookings designed for group dog walkers. We would envisage on average there will be 1-3 dogs per booking. If there was a group booking this is unlikely to be during antisocial hours as dogs need collecting or dropping off."*

The Local Authority under Environmental Legislation can investigate any statutory noise issues that may occur. It would be expected that some noise would be created by the proposed development but not to the levels or consistency such that it would have a harmful impact on the neighbouring uses.

#### Odour:

Irresponsible use of the site by dog owners could lead to odour issues in the locality. The application has included an odour/waste management plan to deal with dog mess on the site. This includes:

- The installation of a dog bin on site.
- On site availability of bio-degradable dog waste bags.
- Regular dog bin collection.
- Regular spot checks of the site.

The odour/waste management plan is considered acceptable and will be conditioned on the permission.

The development would therefore not be expected to have a significant conflict with neighbouring uses.

It is therefore considered that the proposal will accord to local policy LP13, LP26 and LP55 of the CLLP, S5, S46, S48 and S52 of the DCLLPR and the provisions of the NPPF.

It is considered that policy LP13, LP26 and LP55 are consistent with the highway safety, residential amenity and open countryside rural economy guidance of the NPPF and can be attached full weight.

### Agricultural Benefit

Guidance contained within Paragraph 174 of the NPPF states that *“recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”*.

The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (Annex 2 of NPPF). Natural England’s East Midlands Agricultural Land Classification Map suggests the site may be grade 3 (good and moderate) but does not distinguish between grade 3a (good - best and most versatile land) or 3b (moderate land). This designates the site as potentially being productive for agricultural use, although it is noted the applicant’s statement claims it to be a *“local arable farming business with this diversification project that is located on a less productive area of arable land with a good established access”*. However, in the absence of any site specific detail it must be considered as the potential loss of BMV land. The site would mean the loss of approximately 1,050m<sup>2</sup> of agricultural land. However Natural England guidance<sup>1</sup> is only to take account of smaller losses (under 20ha) if they’re significant when making the [planning] decision. At 0.1ha, it is not considered to amount to a significant loss. The proposal would be fenced off for the security of the dogs but would predominantly be retained as grass which could be converted back to agricultural use in the future. In any case the agricultural land would be utilised as farm diversification to support the farm enterprise. The loss of potential BMV land is considered to be insignificant and reversible in the future.

### Visual Impact

Objections have been received in relation to visual amenity.

In addition local policy LP17 states that *‘To protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark*

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<sup>1</sup> <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land#use-alc-to-support-your-planning-decisions>

*buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements’.*

Developments should also *‘be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas’*

*The considerations set out in this policy are particularly important when determining proposals which have the potential to impact upon the Lincolnshire Wolds AONB and the **Areas of Great Landscape Value** (emphasis added) (as identified on the policies map) and upon Lincoln’s historic skyline.*

Local policy LP26(c) of the CLLP states that *All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:*

*c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;*

The Identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

The proposed development would retain the hedgerow to the north east side and front south east boundary of the site. Hardstanding would be installed for car parking and a perimeter fence of 2 metres high to allow dogs to be let off their lead. The fencing is proposed to be a wire mesh structure with timber posts.

The site is not within an area designated for its special landscape and scenic quality. The application is on the edge of the settlement with built form to the north east and south east. The village hall adjacent includes tennis courts which are enclosed by high wire fencing and floodlights. Therefore this kind of fencing at a greater height is already present in the area. It is acknowledged that the proposed 2 metre fencing would increase the amount of fencing in the area. The proposed development would not have any external lighting. External lighting will be prohibited on the site by condition. Any proposed lighting would require the submission of a new application for detailed scrutiny.

Therefore the development would accord with local policy LP17 and LP26 of the CLLP, local policy LP52 of the DCLLPR and the provisions of the NPPF.

It is considered that policy LP17 is consistent with the visual amenity guidance of the NPPF and can be attached full weight.

### Surface Water Drainage

The site plan identifies an area of hardstanding to provide car parking and turning space with the site. To ensure the surface water drainage qualities of the site are retained the car park will be conditioned to be constructed from a permeable material.

It is considered that the development subject to a condition would accord to local policy LP14 of the CLLP, local policy LP20 of the DCLLPR and the provisions of the NPPF.

It is considered that policy LP14 is consistent with the surface water drainage guidance of the NPPF and can be attached full weight.

#### Archaeology

The Historic Environment Officer (HEO) at Lincolnshire County Council has to date not made any comments on the application. There is limited excavation involved in the development therefore it is not considered that the proposal would have a harmful archaeological impact and accords with local policy LP25 of the CLLP, local policy LP56 of the DCLLPR and the provisions of the NPPF.

It is considered that policy LP25 is consistent with the archaeology guidance of the NPPF and can be attached full weight.

#### **Other Considerations:**

##### Community Infrastructure Levy

The proposed development is not liable for a CIL payment.

#### **Conclusion and reasons for decision:**

The decision has been considered against local policy LP1 A Presumption in Favour of Sustainable Development, LP2 The Spatial Strategy and Settlement Hierarchy, LP13 Accessibility and Transport, LP14 Managing Water Resources and Flood Risk, LP17 Landscape, Townscape and Views, LP25 The Historic Environment, LP26 Design and Amenity and LP55 Development in the Countryside of the Central Lincolnshire Local plan 2012-2036 and S1 The Spatial Strategy and Settlement Hierarchy, S5 Developments in the Countryside, S7 Reducing Energy Consumption – Non-Residential Development, S20 Flood Risk and Water Resources, S46 Accessibility and Transport, S48 Parking Provision, S52 Design and Amenity and S56 The Historic Environment of the Draft Central Lincolnshire Local Plan Review in the first instance. Consideration is additionally given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Design Code. In light of this assessment it is considered that the principle of the proposal is acceptable in the open countryside and would support the farm enterprise by introducing a diversifying use on this agricultural field adjacent the built form of Cherry Willingham. The development will not have a significant visual harm on the character and appearance of the site or the surrounding open countryside nor significantly harm the living conditions of the nearest neighbouring occupiers.

Furthermore the proposal will not have a harmful impact on highway safety, archaeology or drainage.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Representors to be notified -**

*(highlight requirements):*

**Standard Letter**       **Special Letter**       **Draft enclosed**

**Prepared by:** Ian Elliott

**Date:** 13th December 2021

**Recommended Conditions:**

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

NONE

**Conditions which apply or are to be observed during the course of the development:**

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with the following drawings:

- ST-475/01 Revision A dated 27th October 2021 – Site Plan

The works must be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

3. The proposed car park and turning space identified on site plan ST-475/01 Revision A dated 27th October 2021 must be constructed from a permeable material and retained as such thereafter.

Reason: To retain the surface water drainage qualities of the site to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

4. The dog exercise area and car park must only operate between the hours of:

- November 1<sup>st</sup> to the end of February  
Monday to Saturday 7am to 7pm and Sunday 8am-7pm
- March 1<sup>st</sup> to October 31<sup>st</sup>  
Monday to Saturday 7am to 9pm and Sunday 8am to 9pm

Reason: To protect the amenities of nearby properties and the locality to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. The development must be operated in strict accordance with the following dog numbers allowed on site at any one time:

- a maximum of 3 dogs and their owner(s) before 9am on any day during the approved operational hours in condition 4.
- A maximum of 15 dogs and their owners during any other approved operational hours in condition 4.

Reason: To protect the amenity of nearby and the locality properties from excessive noise disturbance from a large group of dogs to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. The development must only operate in strict accordance with the Waste/Odour Management Plan received 22nd November 2021.

Reason: To ensure all dog waste is dealt with in an appropriate manner and to stop any odour disturbance from the site on the neighbouring uses to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

7. No external lighting must be installed on the site outlined in red on site plan ST-475/01 Revision A dated 27th October 2021.

Reason: To protect the amenities of nearby properties and the locality to accord with the National Planning Policy Framework and local policies LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

8. Within 6 months of the dog exercise business ceasing operation the site must be returned to its former agricultural land use including the removal of all fencing, internal gates and dog bins.

Reason: To revert the site back to its former agricultural use if the dog exercise business ceases to operate to accord with the National Planning Policy Framework and local policies LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.