

Application Number:	P/FUL/2024/06769
Webpage:	Planning application: P/FUL/2024/06769 - dorsetforyou.com
Site address:	Shady Glades Long Lane Wimborne BH21 7AQ
Proposal:	Change of use to a dog exercise park to include the formation of car parking areas, fencing and storage container.
Applicant name:	Lorna Trent
Case Officer:	Ellie Lee/Elizabeth Adams
Ward Member(s):	Cllr Chakawhata

1.0 Reason application is going to committee: The officer recommendation is contrary to the objections received from Holt Parish Council and the Ward Member and is a major application.

2.0 Summary of recommendation: To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to GRANT permission following the 21-day owner notification period subject to no further representations being received from owners which raise new material planning considerations and subject to conditions as set out at the end of this report.

3.0 Key planning issues

Issue	Conclusion
Principle of Development (Location/ Use)	Acceptable in principle – Accords with local policy PC4 and also NPPF paragraphs 88 and 89.
Impact on the Green Belt	Acceptable subject to conditions – Accords with exceptions to inappropriate development in NPPF section 13.
Design and Character of Area	Acceptable subject to conditions – Accords with local policies HE3 and DES11, and NPPF paragraphs 135 & 187.
Neighbouring Amenity	Acceptable subject to conditions – Accords with local policy HE2.
Heritage	Acceptable subject to condition – Accords with local policy HE1 and policies in section 16 of the NPPF. No harm to heritage assets including the Conservation Area and nearby listed buildings.

Issue	Conclusion
Highways and Parking	Acceptable subject to conditions – Accords with local policies KS11 and KS12, and policies within section 9 of the NPPF.
Flood Risk and Drainage	Acceptable subject to condition – Accords with local policy ME6.
Biodiversity	Acceptable subject to condition – Accords with local policy ME1.
Impact upon Dorset Heathlands	Acceptable – Natural England concurs with the Council’s Habitats Regulations Assessment that identified no likely significant effect.

4.0 Description of site

The application site is located in a rural location in the Green Belt, outside of a named settlement boundary, approximately 800 metres drive from the settlement boundary of Colehill, and approximately 2.75km (1.7 miles) north-east of Wimborne Minster town centre. The application form states that the site is a 2-minute drive (or 20 min walk) from Colehill.

The site comprises of fields laid out as woodland; it has a lawful agricultural use. The vehicular access to the site is from the north-west side of Long Lane.

The site is located to the north and north-east of existing residential properties including those at 427 and ‘Old Dairy Cottage’ Long Lane, both Grade II listed buildings. The areas to the north, east and south of the site (excluding the road known as Long Lane) are grassed fields.

The site lies within 5km of Dorset Heathlands Habitats Sites.

A public right of way runs adjacent to the west site boundary. The site is located approximately 11.24m beyond the Burts Hill/Merrifield Conservation Area.

5.0 Description of development

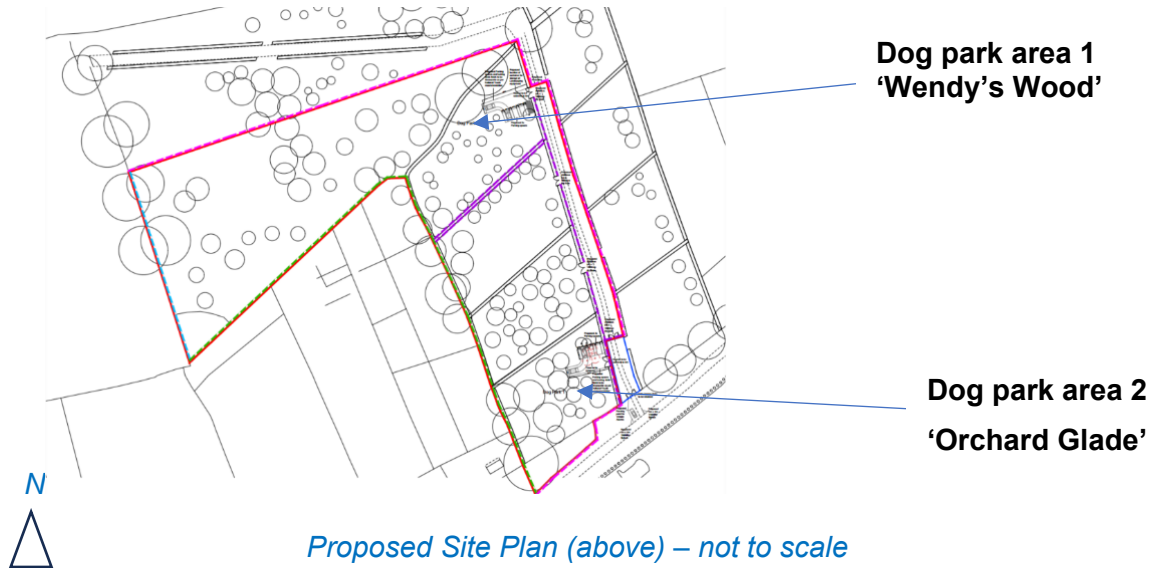
The planning application proposes the following:

‘Change of use to a dog exercise park to include the formation of car parking areas, fencing and storage container.’

The supporting statement sets out that the proposal includes two fenced dog exercise areas, each with a separate car park. The proposal includes parking provision for six cars; three spaces are provided to serve the southern dog park and the other three are in the north park accessed from an existing track widened to 5m. There is space adjacent to the track for vehicles to stop awaiting entrance to the parks and for a waste bin to be sited.

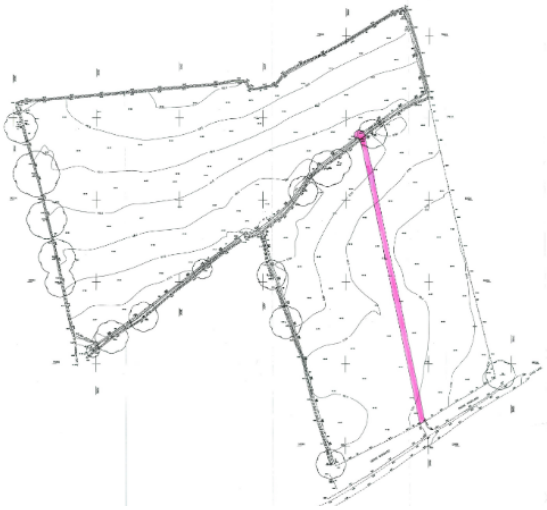
Within Dog Park 2 (to the north and north-west of the site) a single storage container will be sited next to the parking spaces.

An operations plan accompanies the application. Both dog park areas will need to be booked by dog owners, with one booking per 50 minute session in each park and the dog parks will only be used during daylight hours. CCTV cameras will be used for monitoring purposes in both parks.



6.0 Background and relevant planning history

Application No.	Description	Decision	Date
3/04/0473/FUL Land to the west of the application site.	Erect double stable <u>3/04/0473/FUL Conditions include:</u> 2 No ground clearance, demolition or construction work shall commence until a chestnut pale or similar form of protective fencing, at least 1.25m high, and supported and braced with scaffolding, as outlined in BS8837 : 1991 Trees in Relation to Construction, is erected around the tree at a distance of 4m from its stem. Within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials. Reason: To prevent the Oak tree on site from being damaged. 3 The stables/loose boxes shall be used solely to accommodate the landowners own horses and shall not be used for any commercial riding, livery, breeding or training purposes. Reason: To safeguard the amenities of the area and to minimise the possibilities of inconvenience of nearby residents.	Granted	19/05/2004
03/01/1049/FUL	Renew track with gravel <u>03/01/1049/FUL Conditions:</u> 1 Within 6 months of the date of this decision, the top 3cm of the gravel surface shall be loosened and mixed with an equivalent quantity of top soil which shall then be seeded with a native grass mix to be agreed in writing with the Local Planning Authority, or such other scheme that may be agreed in writing with the Local Planning Authority during this 6 month period. After such time the track shall be retained in this agreed form unless express consent is first obtained from the Local Planning Authority. <u>03/01/1049/FUL Approved Plans:</u>	Granted	13/08/2002

			
03/01/1083/FUL	Create pond for wildlife from existing bog. (Retrospective)	Granted	31/05/2002

The planning application currently under consideration was initially positively determined under delegated powers on 30 April 2025, but this decision was quashed by the court on 3 November 2025. The site area of 2.4ha means that the development falls within the category of a major planning application. The Council did not defend the court case as it was recognised that the decision under delegated powers failed to comply with the Council's Constitution which requires major applications to be considered by the planning committee where the triggers are met. In this case the triggers were the objection by Holt Parish Council and the Ward member. The application therefore falls to be redetermined.

7.0 List of constraints

- Within Green Belt
- Approximately 11.24m from the Burts Hill/Merrifield Conservation Area (application site is not within the Conservation Area)
- Public Right of Way: Footpath E45/33 adjacent to west site boundary
- Existing ecological network & Higher Potential ecological network
- Within 5km of Dorset Heathlands
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4972.91m
- Susceptible to groundwater emergence flooding – covers parts of the site
- EA Risk of Surface Water Flooding Extent 1 in 30 – cuts through the site
- EA Risk of Surface Water Flooding Extent 1 in 100 - cuts through the site
- EA Risk of Surface Water Flooding Extent 1 in 1000 - cuts through the site
- Bournemouth Water Consultation Area
- Wessex Water Treatment Works Catchment

- Wessex Water Risk of foul sewer inundation 2023 High Risk of Foul Sewer Inundation

8.0 Consultations

All consultee responses can be viewed in full on the website. The following are summaries:

Consultees

1. Natural England – No objection, subject to mitigation (13/02/2025):

Consultation under Reg 63 (3) of The Conservation of Habitats and Species Regulations 2017:

Natural England concur with the Council's Appropriate Assessment (AA) dated 05 Feb 25 in respect of Planning Application: P/FUL/2024/06769.

In respect of the matters considered in the AA, Natural England has no objection to the authority granting the permission.

Natural England note that the planning application includes biodiversity mitigation and provisions for Biodiversity Net Gain and these should be secured by way of a planning condition or other legally binding mechanism.

2. Environment Agency – Comments (16/12/2024 & 07/03/2025):

Environment Agency - Response (16/12/2024):

Application falls outside Environment Agency remit: This application does not fall within the criteria set out in our External Consultation Checklist which defines the planning applications we should be consulted on. We therefore consider we should not be consulted, and we will not be providing any comments on this proposal.

Environment Agency - Response (07/03/2025):

I have re-checked this application against our GIS constraints and consultation requirements. Unfortunately, as this site is not located within a source protection zone (which is one of triggers, along with this being a low environmental risk use), we have no comments to provide against this consultation.

3. Drinking Water Inspectorate (DWI) – Comments (21/03/2025):

As the independent drinking water quality regulator, the Drinking Water Inspectorate does not normally respond to planning applications. The Environment Agency and the local water company (South West Water) may wish to put forward any representations should they deem that the proposed development would pose any concerns from a water quality perspective.

4. Ramblers Association – Comments (19/12/2024):

Thank you for consulting the Ramblers about this application. We note that FP E45/33 runs immediately to the west of the site proposed for development and ask that, in the event that planning permission is granted, the applicant be reminded of the need to keep the path open and available for public use during any works.

5. National Trust

No comments received

6. Dorset Wildlife Trust

No comments received

7. Dorset Council (DC) Highways – No objection subject to conditions (20/12/2024 & 5/12/2025):

Highways Authority- 20/12/2024

The traffic survey shows that speeds are in the region of 40mph so the 79m visibility splays are accepted. The dog exercise park will be pre-booked so parking is acceptable.

The proposal does not present a material harm to the transport network or to highway safety so no objection, subject to the following conditions:

- Visibility splays
- Turning/manoeuvring and parking construction (as per parking plan submitted)

Highways Authority- 5/12/2025

Previous comments repeated but supplemented with additional reference to sufficient space within the site for vehicles to wait should they arrive early. The 5m wide access will allow two vehicles to pass avoiding the need for vehicles to reverse out into the highway. The site will operate in daylight hours only. The traffic impact associated with the use is deemed to be minimal and is not thought to be severe in terms of NPPF para 115 and 116. Recognition that Long Lane is narrow but no concerns raised.

No objection subject to conditions:

- Vehicular access construction
- Turning/manoeuvring and parking construction (as per parking plan submitted)

8. DC Trees – No objection, subject to conditions (07/02/2025 & 11/07/2025):

Tree Officer Response (07/02/2025) following the submission of further information:

The proposal has been considered alongside the arboricultural impact assessment, arboricultural method statement and tree protection plan submitted. The land is not subject to a TPO however, a recent conversation with the applicant indicated that a tree-related covenant on the land may exist. The Forestry Commission have also approved a felling licence for the site.

A group of 5 low-quality crab apple trees (G001) and a low-quality Norway Spruce (T3) are proposed for removal and these trees are not visible from outside the site. There is no objection to the removal of G001 and T3. There will be a minor incursion into the RPA of T002 Oak from the proposed new car parking area for Dog Park 2. Providing the recommendations set out in the submitted AIA/AMS document (ref: 709/AIA/AMS/1) are followed there should be no harm to the tree. No other trees on site are affected by the proposed new car parking for Dog Parks 1 and 2. It is proposed to use Grasscrete (cast on

site cellular reinforced concrete system with voids created by styrene void formers) for the new car parking areas as per National Trust recommendations.

No objection is raised to the proposed development subject to a pre-commencement condition to secure work in accordance with the submitted details.

Tree Officer Response (11/07/2025) following further information:

A pre-commencement meeting took place on the 15/05/2025 between the tree officer, arboricultural consultant, client and architect. The details set out in the submitted arboricultural supervision note 1 reflect the tree protection measures and associated methodology as agreed on site. Further information has been submitted, including photos and information relating to the installation of surfacing with the tree protection measures in place.

The tree protection barriers must remain in place for the duration of the build.

DC Conservation – No objection (19/02/2025 & 9/12/2025):

Conservation officer 19/02/2025

The proposed scheme has been remotely assessed, in relation to perceived impacts on encompassing heritage assets considered of special architectural/ historical significance, and their associated settings. The Burts Hill / Merrifield Colehill Conservation Area also forms part of this assessment based on the designated extent's proximity to the application site.

Based on the application's supporting indicative plans, we consider that the scheme represents a conclusion of no harm and, therefore, no objection is raised.

Where the scheme indicates the adoption of a shipping container, our preference would be for one of a natural green tone.

Conservation Officer 9/12/2025

The contribution made by noises and smells to significance is a consideration when assessing the way in which we experience an asset in its setting.

The proximity of buildings, position close to Long Lane and perceived former agrarian use of Old Dairy House contribute to the historic and aesthetic connection that amplifies the experience of the significance of each heritage asset affected by the proposed development.

Changes to buildings and landscape over time have affected the special character of the listed buildings and their setting.

The proposed development may introduce some additional traffic and noise, but the degree of change arising from the proposed development on an already changed experience of heritage assets are low.

9. DC Environmental Services – Protection- No objection, subject to conditions:

DC Environmental Services Protection - Response (31/01/2025):

Request for additional information in relation to the control of noise from the proposed use advising that the applicant should submit a noise management plan.

DC Environmental Services Protection - Response (07/03/2025):

Environmental health are unable to comment on Drinking Water Safeguard Zones. I would suggest consulting the Drinking Water Inspectorate (DWI) and or the Environment Agency (EA).

DC Environmental Services Protection - Response (06/11/2025):

I have viewed the following documents:

- Noise Impact Assessment, Proposed Dog Walking Facilities, Shady Glades Long Lane Wimborne BH21 7AQ, Report Reference: IMP7871 v1.0, by Impact Acoustics.
- Operations Plan.

I have no adverse comments to make. A condition to ensure that the site is managed in accordance with the Operations Plan is suggested

DC Environmental Services Protection- Response (08/12/2025)

Following the report submitted by Hayes McKenzie, Environmental Protection would suggest the applicants noise consultant (Impact Acoustics) are given the chance to respond to the points raised. I understand planning have provided this opportunity.

There is a lack of recognised standards for specifically assessing noise from dog barking. It is very difficult to predict the likely noise impact from a dog walking field using models to calculate noise levels. This is due to the unpredictability of different dogs, their barking characteristics, behaviours etc. The operational management of such a site is key.

Giving regard to representations made and the proposal for an unmanned facility, Environmental Protection have considered the operations plan again. The plan hasn't fully addressed the following points. Management relies on dog owners supervising their dogs and complying with booking terms. The plan says any dogs that constantly bark will be asked to leave and banned from returning. If the site is unmanned there won't be any staff available to promptly deal with any prolonged barking at the time as suggested. Although the reservation system and CCTV would allow the site's operator to identify those using the park at specific times, noise complaints would likely be considered retrospectively. The plan doesn't advise how long it will take to follow up complaints. If a dog is subsequently banned from returning to the park the plan doesn't demonstrate any measures to prevent a successive booking. Further clarification on these points should be sought from the applicant as good operational management of such a proposed facility will be essential.

Consideration could be given to allowing temporary consent, but careful thought would need to be given to how the operation is monitored during that phase.

DC Environmental Services Protection- Response (09/12/2025)

I note further information has been added to the operations plan providing some further clarification on how the applicant proposes to monitor noise onsite and enforce the site rules. It's essential that such a site is managed well.

I am not aware that our team have received dog barking complaints in relation to any dog park facilities in Dorset. I also don't know how many there are or the nature of them.

10. Dorset Waste Team – comment (13/03/2025)

Need clear indication about how any waste is to be disposed.

11. Rights of Way Officer – Comments (10/01/2025):

Rights of Way comment – E45/33 Footpath



There is a singular public right of way which runs along the western boundary of the site. This footpath will remain unchanged from the proposed dog exercise park.

The map shown in the planning, design and access statement appears to show the footpath being fenced along its length to separate it from the site. The width allowed for the footpath should be an absolute minimum of 2 metres. If any infrastructure (such as gates) is proposed to be installed on the footpath at any point, this must be discussed and agreed with the rights of way team.

The footpath must remain open, unobstructed and safe at all times. If the footpath needs to be temporarily closed, this can be applied for.

12. Natural Environment Team – Comments

NET response (18/12/2024):

NET have screened the submitted BNG information, it does not meet our consultation trigger and has therefore not been reviewed by NET.

NET response (27/08/2025)

The Gain Plan has been provided. Provided there are no changes then an updated metric will not be required and the BNG condition can be discharged.

NET response (09/12/2025)

Regarding the concerns raised in relation to protected mammals, we understand that there is no contest between the parties about proximity. The walkover survey conducted by a suitably qualified ecologist did not record evidence of the use of the site.

In relation to potential impacts from disturbance the applicant's ecologist has submitted a separate statement concluding that operational use would not be likely to result in an offence as dogs will be restricted to the site by fencing. NET are not aware of any guidance from Natural England or other best practice guidance in which the presence, noise or scent of dogs is considered a pathway to impacts on the home of protected mammals that would

meet the thresholds for disturbance and which would lead to an offence. It is considered that an offence is unlikely.

Broader biodiversity policies and objectives require consideration of the impact on protected species through loss of habitat and foraging opportunities, however we are satisfied by the ecologist's conclusion that it is unlikely that impacts have occurred as a result of the erection of the deer fencing onsite.

13. Holt Parish Council – Objection (20/01/2025 & 13/11/2025):

Response 20/01/2025

OBJECTION to the proposal due to concerns with the impact of an increase in traffic to access the park on this already over-used, single-track road without passing places and generally through Holt Parish if visiting from afar (and potentially vehicles waiting to access for a booked slot).

The location is considered unsuitable both in terms of traffic and impact on local environment.

We are concerned with noise and disturbance to neighbours, livestock in adjoining fields and local wildlife (whistles, voices, barking etc) without staff permanently on site to monitor.

Fencing appropriate for dogs/local wildlife is necessary.

We are concerned the large number of comments of support are from residents outside of the Parish (some a considerable distance) and are not 'neighbours' as stated on the Dorset Council website. Note, the Tree Officer's comments on the proposal were not available for members to consider.

We request this application is referred to the Planning Committee if your recommendation is at variance to the above.

Response 13/11/2025

The same response was received but omitting the reference to the tree officer's comments.

14. Ward Member – Cllr Will Chakawhata – Objection (30/01/2025 and 14/11/2025):

Response 30/01/2025

In line with the Parish Council, I object to this application.

Response 1/12/2025

Objection:

1. Unsafe and unsuitable access- narrow single track lane with no formal passing places. Route heavily used. Increase in visitor traffic will create unavoidable conflict points; vehicles forced to reverse or mount verges causing damage and danger. No safe waiting area for vehicles arriving for booked sessions; queuing unacceptable. The land lacks capacity to absorb further daily movements without harm.

2. Noise and disturbance to neighbours and livestock

Peaceful rural area. Repeated barking, whistles and general activity will cause significant disturbance. Lack of permanent onsite staff means no credible way to manage or prevent noise impacts. Livestock vulnerable to noise/disruption. Cumulative noise effect underestimated. Unpredictable noise burst patterns will erode amenity and undermine rural character.

3. Harm to wildlife including dormice and other protected species

The site is part of an ecological network. Dog scent trails, movement and noise disrupt wildlife corridors and cause long term behavioural changes reducing breeding success and survival rates. Fencing not demonstrated to be wildlife safe. No enforceable ecological monitoring or long term mitigation provided.

4. A suitable and accessible alternative already exists

Hayters in Holt is already operating and recently expanded with a new field; local need is fully met.

5. Traffic generated from outside the parish

Use of the facility by people living outside Holt would drive further traffic through the village and onto unsuitable roads.

6. No s106 mitigation despite clear and pressing need

7. Request for referral to Planning Committee.

Representations received

Total - objections	Total - No objections	Total - comments
118	166	6

Summary of third party representations received:

<u>Third Party Objections</u>	
Principle of Development (Location/Use)	- Facility not needed, as others available elsewhere (including Hayters Field, The Dog Park, Canford SANG and K9 Woods). - Concerns that dog agility equipment could be added in the future. Concern over long term use. - No supervision on site. Lack of emergency contact details. How will CCTV monitor site? - Contrary to local policy PC4 (The Rural Economy) - Contrary to NPPF para 89 as there would be an unacceptable impact on local roads. (NPPF section 6: Building a strong, competitive economy). - Site is not on the edge of an existing settlement (it is in open countryside). - Site is not in a sustainable location in terms of transport.
Green Belt	- Contrary to NPPF Green Belt aims including paragraph 142 and 143 - Contrary to exceptions in NPPF paragraph 154 - Very special circumstances not identified (NPPF para 153) - Storage container represents inappropriate development in the Green Belt and represents encroachment. - Hardstanding for access track and parking is inappropriate development in the Green Belt. - Proposal introduces built form and encroachment into the countryside.

	• Reference to Appeal Decisions: APP/M0655/C/18/3197004 and APP/M0655/C/18/3197005
Design and Character of Area	• Contrary to local saved policy DES11. • Contrary to NPPF paragraph 135, as not sympathetic to local character. • Proposal does not enhance the character of the landscape and there would be harm to tranquillity. • Proposal is out of keeping and will spoil the character of the area. • Concerns over visual impact of proposed fencing. • Hours of lighting to the site would be harmful to visual amenity. • Site unsuitable for proposed use and visitors. • Harm to verges and hedges
Neighbouring Amenity	• Contrary to saved local policy DES2. • No Noise/Acoustic Report submitted with original application. Subsequent noise report inadequate. • Operational Plan lacks detail and unenforceable. Concern site will not be supervised. • Negative impact upon visual amenity. • Negative impact upon neighbouring amenity in terms of overlooking and privacy; hedging will not restrict views into and outside of site to/from neighbouring properties. • Concerns over noise disturbance to occupants of neighbouring properties, including from dogs, people and vehicles (inc. engines). Dogs barking, whistles, shouting general activity. • Concerns over odour from the proposed use of the site. Negative impact upon public health. • Concerns over how noise will be monitored. • Concerns over number of dogs allowed at any one time. • Concern over safety; risk of dogs escaping including banned breeds. • Lighting to the site would be harmful to neighbouring amenity. • Concerns over livestock worrying re: sheep and other animals in nearby fields (reference to Protection of Livestock Act 1953 & Animals Act 1971) • Concerns over dog faeces impacts. • Site is within a Drinking Water Safeguard Zone and proposal would negatively impact this.
Heritage	• Contrary to local policy HE1. • Contrary to policies in the NPPF (inc. paras 212 and 213) • Harmful impacts upon character and setting of designated heritage assets-listed buildings and conservation area

Trees and Landscape	• Contrary to local policy HE3. • Removal of trees will harm landscape character and area.
Highways and Parking	• Contrary to local planning policy KS11. • Contrary to NPPF paragraph 116. Severe impact upon highways safety. • No sustainable modes of transport for the visitors to get to the site. • Inadequate infrastructure. • Narrow access. • Highway safety concerns and risk of accident and injuries. Long Lane is used by walkers, cyclists and horse riders. • Footpaths emerge onto Long Lane. • Increase in traffic and congestion in Long Lane. Concern over increase of vehicles to the site. • Long Lane is unsuitable for the levels of traffic that will visit the site and Long Lane has few passing places. • Traffic survey is out of date (October 2022/November 2022). No evidence has been provided to demonstrate that the visibility splays are suitable and how these will be maintained.
Biodiversity	• Contrary to local policy ME1 and paragraph 187 of the NPPF. • Concerns over impact upon wildlife and the natural environment from disturbance, noise, odour. • Lighting could harm wildlife. • Concerns over dog faeces impacts.
Flood Risk and Drainage	• Contrary to local policy ME6 and NPPF paragraph 173. • Concerns over flood risk and susceptibility to flooding from groundwater emergence. • Flood Risk Assessment (FRA) does not demonstrate how proposal will ensure site is not at risk from groundwater flooding. • There is a point within the site (SW corner near to the adjacent footpath). • There is a stream outside of the application site. • Site is within a Drinking Water Safeguard Zone and proposal would negatively impact this. • Proposal will result in contamination to the watercourse.
Other Matters	• Submitted documents/information incorrect • Queries over land ownership and declarations • No consultation • Work has already been carried out on the site before decision. • Many of the supporters of application do not live near the site.

	- Concerns over livestock worrying re: sheep in nearby fields. Harm to other livestock. Welfare of lambs – concerns. - Reference to a planning application in Yorkshire where the appeal refused on harm to existing land use ZC23/02361/FUL. - Breach of animal welfare act 2006
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Third Party Comments	
Principle of Development (Location/Use)	- Needed facility for dog owners in the local area - Facility not needed as others available - Concern over long term use - No supervision on site. - Lack of emergency contact details
Neighbouring Amenity	- Concerns over lack of privacy - Noise concerns including from barking
Biodiversity	Concerns over impact upon wildlife and livestock worrying
Other Matters	Submitted documents incorrect

Third Party Support	
Principle of Development (Location/Use)	- Needed facility for dog owners in the local area - Provides safe space for dog owners and dogs (and enrichment for dogs) - Community benefits from proposal
Design and Character of Area	- Provides a secure area for dog owners to take their dogs - Maintains natural environment
Amenity of users/customers	- Space provides better mental health for dog owners - Good for welfare of dogs
Neighbouring amenity	Experience of other dog parks is that users are considerate.
Highways and parking	- Easy to access with parking - Limited traffic as need to book
Other matters	Proposal is nature friendly

Summary of comments of support:

9.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10.0 Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

The following policies are considered to be relevant to this proposal:

- KS1: Presumption in favour of sustainable development
- KS2: Settlement hierarchy
- KS3: Green Belt
- KS11: Transport and development
- KS12: Parking provision
- HE2: Design of new development
- HE3: Landscape quality
- ME1: Safeguarding biodiversity and geodiversity
- ME2: Dorset heathlands
- ME6: Flood management, mitigation and defence

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

Colehill Neighbourhood Plan- on hold- no weight given.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations:

National Planning Practice Guidance

Including: Determining a planning application.

Supplementary Planning Document (SPD) / Guidance (SPG)

- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.
- East Dorset Countryside Design Summary Supplementary Planning Guidance

11.0 Human rights

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

Once the development is complete, no harm to persons with protected characteristics is anticipated.

13.0 Planning Assessment

Principle of Development (Location/Use)

- 13.1. Objections to the proposal from Holt Parish Council and Cllr Chakawhata consider that the location is unsuitable in terms of the impact upon the local environment and traffic concerns. Objectors consider that there is no need for the proposed dog park facility and identify the scheme as contrary to local policy PC4 and NPPF paragraph 89, due to the site's unsustainable location in terms of transport, its location away from the edge of an existing settlement and traffic concerns.
- 13.2. Third party comments received in support of the application identified that dog facilities are in demand by dog owners in the area who are seeking safe spaces to walk and train dogs, that the proposal would provide enrichment for the dogs and that the scheme would benefit the community.
- 13.3. The application site is located outside of any named settlement listed in local planning policy KS2. As such, the site would fall within the *'Hamlets'* category in policy KS2, which sets out that development will not be allowed unless it is functionally required to be in the rural area. It is judged that the proposal does have a functional requirement to be in the rural area as the space needed to provide a dedicated dog walking facility would be very unlikely to be available within a settlement and the functional needs for enclosure would be likely to conflict with the requirements of open space users.
- 13.4. Local plan policy PC4 identifies that *'although economic development will be strictly controlled in open countryside away from existing settlements, in order to promote sustainable economic growth in the rural area, applications for economic development will be encouraged where development is located in or on the edge of existing settlements...Such proposals should be small scale to reflect rural character.'*
- 13.5. The policy is worded in a permissive style, providing support for land-based rural leisure business proposals such as this one, provided they meet the criteria set out in the NPPF and listed policy criteria; the following are of relevance to the current proposal:
- *'are consistent in scale and environmental impact within their rural location avoiding adverse impacts on sensitive habitats, AGLV and landscapes, and the openness of the Green Belt...*
 - *do not harm amenity and enjoyment of the countryside through the impact of noise and traffic generation*
 - *that minimise additional trips on the highway network and are accessible by sustainable modes other than the car'.*
- 13.6. Paragraph 88 of the NPPF similarly sets out that planning policies and decisions should enable the following:
- 'a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*
 - b) the development and diversification of agricultural and other land-based rural businesses;*
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside;...'*

- 13.7. The entrance to the site is approximately 800m- 1km from the settlement boundary of Colehill by road (travelling either along Merrifield or along Smugglers Lane then Long Lane). Beyond the settlement, the roads have no pavements. Although there is a footpath network from Colehill running near the site, these would still require reliance on rural roads, disincentivising users to walk or cycle to site with their dogs and there are no nearby bus stops. It is therefore reasonable to anticipate that the majority of users will arrive by private vehicle. Without access to sustainable modes of transport the site is not in a sustainable location, but this is only one element of the three overarching objectives of sustainability with also includes economic and social objectives.
- 13.8. NPPG paragraph 89 explains that '*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.*' The paragraph identifies that in such circumstances the development will need to be sensitive to its surroundings, avoid an unacceptable impact on local roads and exploit any opportunities to make a location more sustainable. These issues are considered in more detail later in the report but in brief the proposal is judged to be appropriately designed for its location and no unacceptable impacts on local roads are anticipated while no sustainability opportunities that could be exploited have been identified.
- 13.9. The proposal would provide an additional dog park where dogs can be exercised and trained in a safe environment which is particularly useful for dogs with a nervous disposition. Objectors have suggested that there is no need for the facility as there are pre-existing facilities in the area including at Hayters Field (Rowe Hill Farm permission ref: 3/20/1505/FUL, new second field unauthorised), The Dog Park (Strawberry Field, application P/FUL/2025/06294 under consideration), Canford SANG (off Magna Road, BCP) and K9 Woods (Heathfield Farm, Christchurch Road- unauthorised). Given the extent of dog ownership, officers consider that the existence of other dog parks a few miles from Wimborne and Colehill does not detract from the social benefits associated with improving access to the countryside for dogs and their owners in this location.
- 13.10. In terms of the principle of development in this rural area, it is recognised that the location is beyond the edge of the settlement, limiting sustainable transport options, but the rural diversification proposal is close to the settlement of Colehill. The dog park offers only two areas for walking so is considered small scale. Other matters relating to impact on the Green Belt and the impact on the character of the area, including traffic are considered below but in summary, although lacking opportunities to secure sustainable modes of transport, the proposal is judged to accord with policy PC4.

Impact on the Green Belt

- 13.11. The site lies in the Green Belt. Policy KS3 identifies that development will be contained by the South East Dorset Green Belt, but specific guidance on when development is inappropriate is found in the NPPF.

- 13.12. Objections received from third parties have raised concerns that the proposal is contrary to the NPPF Green Belt aims and policy, that the storage container represents inappropriate development in the Green Belt and encroachment into the countryside, the hardstanding for the access track and parking would be inappropriate, and that the proposed scheme would introduce built form.
- 13.13. Reference has also been made by an objector to appeal decisions APP/M0655/C/18/3197004 and APP/M0655/C/18/3197005. These date back to 2018 and relate to a site in Warrington where an enforcement notice was issued against the change of use of land to residential use with associated static caravan and storage container. The circumstances are sufficiently different that no relevant conclusions can be drawn from this case.
- 13.14. The relevant exceptions to inappropriate development in the Green Belt for the proposal under consideration are listed below.
- 13.15. NPPF paragraph 154 h) v. allows '*material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)*' provided that the scheme preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 13.16. Paragraph 154 h) ii. allows '*engineering operations*' provided that the scheme preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 13.17. Paragraph 154 b) allows '*the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, 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.*'
- 13.18. Although the introduction of any structures on a Green Belt site will have some impact on openness, it is clear from the policy that appropriate facilities are acceptable where they preserve openness and do not conflict with the purposes which include, amongst other requirements '*safeguarding the countryside from encroachment*' (para 143 c)).
- 13.19. The proposal would result in a material change in the use of the land. The use would involve customers who have pre-booked exclusive use of one of the areas on site for a 50 minute session, parking on the site and using the area for walking their dogs. Engineering works, to provide the widened access and parking have taken place, a container has been introduced onto the land and additional 2m high (approx.) boundary fencing and telegraph poles for CCTV erected. Officers judge that the proposed change of use, limited operational development and the siting of a single container for storage associated with maintenance of the site would preserve the openness of the Green Belt and would not conflict with the purposes of the Green Belt.

- 13.20. As the proposal can benefit from NPPF exceptions 154 h) ii. h) v. and 154 b) the proposed scheme is not inappropriate development in terms of Green Belt policy so there is no need to consider whether very special circumstances exist.
- 13.21. The proposal would provide access to and opportunities for outdoor recreation in an area of Green Belt that would be otherwise inaccessible, so also accords with the aims identified at NPPF paragraph 15 which encourages local planning authorities to plan positively to enhance the beneficial use of the Green Belt.

Design and Character of Area

- 13.22. Objections have been received that the proposal does not enhance the landscape and will spoil the character of the area. That there would be harm to the tranquillity of the area, a negative impact on visual amenity, that the use will be out of keeping with the rural setting, lighting may be harmful to visual amenity and that the site is unsuitable for its proposed use and visitors. Concerns were also raised that the removal of trees on the site will harm the character of the area. Reference has been made to local saved policy DES11, Local Plan policy HE3 and NPPF paragraphs 135 and 187.
- 13.23. Third party comments received in support of the planning application highlight that one of the attractions of the site is the natural landscape and that the site will be maintained.
- 13.24. Local plan policy HE2 permits development if it is compatible with or improves its surroundings in relation to 11 criteria including layout, site coverage, scale, materials, landscaping, visual impact, and the relationship to mature trees. This policy accords with NPPF paragraph 135 which seeks good design.
- 13.25. Policy HE3 requires that development should protect and seek to enhance the landscape character of the area. This includes protecting trees, tranquillity and avoiding intrusion from light pollution.
- 13.26. Saved local policy DES11 of the East Dorset Local Plan permits development where the form, materials, lighting, landscape, planting and means of enclosure, roads, cycleways, footpaths and parking areas, together with the relationship of buildings and property boundaries to these spaces respect or enhance their surroundings.
- 13.27. The site is not subject to any landscape designation, but the intrinsic character and beauty of the countryside is recognised by NPPF para 187.
- 13.28. The application provides a detailed drawing for proposed deer fencing on the site which has a maximum height of 1.8m, and the revised Site Plan provides details of the placement of types of fencing including where existing fencing is to be retained. The proposed fencing and gates are judged appropriate for the purpose. The visual permeability of the deer proof fencing is in keeping with the rural character of the area, and would not result in a negative impact upon visual amenity.
- 13.29. The proposed single storey container is small in size and the nature of the facility on the site means that the application site overall is mostly open space. The proposed car parking is modest and is split across two sections (dog park 1 and dog park 2) to reduce

any potential impacts. The parking and turning areas will be provided using grasscrete which maintains a natural appearance. The container is well screened within the site.

- 13.30. Tree information to support the application includes an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan. The Council's Tree Officer has noted that the land is not subject to a Tree Preservation Order (TPO) and that the Forestry Commission have approved a felling licence for the site. The Tree Officer notes that there would be a minor incursion into the root protection area (RPA) of Oak tree T001 from the proposed new parking area serving Dog Park 2, but has no objection to the proposed development, subject to tree protection being secured by condition.
- 13.31. Therefore, subject to conditions, the proposal accords with local policy HE3 as it will not harm the landscape character of the area. The proposed development is also in accordance with saved policy DES11 as the relationship with property boundaries is respected, and the proposed form, materials, landscaping, planting and means of enclosure are acceptable.
- 13.32. The proposal accords with paragraph 135 and 187 of the NPPF as it is considered that the development will have appropriate layout and effective landscaping, subject to condition, will be sympathetic to the local character of the area and the surrounding built development in the rural location, and creates a place that will promote health and well-being for visitors.
- 13.33. There are no design and character grounds which would warrant refusal of the planning application, as it is considered that the scheme accords with the relevant design and character planning policies.

Neighbouring Amenity

- 13.34. Holt Parish Council has raised concerns relating to noise and disturbance to neighbours, and that there would be a lack of monitoring. The Ward Councillor has also identified disturbance from barking and activity for neighbours and livestock.
- 13.35. Objections and comments received from third parties include concerns that that there is no Noise/Acoustic Report, that the Operation Plan lacks detail, that the use of the site will be unrestricted, the hedging will not restrict views to neighbouring properties, that the scheme will result in noise disturbance (from dogs barking, people, vehicles) and concerns over how this will be monitored. A potential risk to public health is identified with anticipated harm from odour and other negative impacts from dog faeces/urine, concerns over the number of dogs & dog owners, concerns over safety and hours of lighting which could disturb neighbouring amenity. The proposal is considered by objectors to be contrary to local policy HE2 in respect of failing to minimise harm to neighbouring amenity.
- 13.36. Comments received in support of the proposal include suggestions that dog owners who use dog parks are considerate.

- 13.37. Saved local plan policy DES2 notes that *'development will not be permitted which will either impose or suffer unacceptable impacts on or from...land uses in terms of noise, smell, safety...lighting, disturbance, traffic or other pollution'*. The more recent policy at NPPF paragraph 198 confirms that development should be appropriate for its location. This includes the requirement for potential adverse noise impacts from new development to be mitigated or reduced to a minimum.
- 13.38. The application is supported by an operations plan which was updated during the application process. This includes the following operating practices (summarised):
- 50 minute booking slots with 10 minute gap between bookings for changeover
 - Dog Park 2 session bookable on the hour
 - Dog Park 1 session bookable on the half hour
 - Up to 6 dogs and 6 people per session (up to 10 dogs per session with prior arrangement of management)
 - All admittance by prior booking only using numerical key code on secured access gates.
 - Opening hours 7am until 8pm but not after dark
 - No lighting in or around the parks
 - No water, toilets or agility equipment
 - Bookings non transferable and the person who made the booking must be present
 - A contact number for contacting the client on site will be required at time of booking
 - Clients required to keep all dogs under close personal supervision at all times
 - Gates to be closed and locked by site users on entry
 - No visiting dogs on the track
 - Daily check of park fences, missed poop, refill of poop bag holders, any other hazards with issues addressed.
 - Clients advised to check the fencing and notify management of any problems.
 - Security cameras monitoring of the parking areas and parks enabling remote management
 - Bans for dogs that are identified as constantly barking
 - Clients advised when booking that there are animals in the paddock next to Dog Park 2 and to book Dog Park 1 if their dogs are likely to react
 - Spare poo bags will be available on site
 - A waste disposal company will empty the wheelie bin a minimum of every 4 weeks or more frequently if needed
 - Extra requirements for clients with banned breeds including registration with the index of exempt dogs, providing a copy of life certificate at time of booking and 1:1 dog to handler ratio.
 - Feedback opportunity on website to raise any complaints/concerns or provide positive feedback
- 13.39. The operating plan, which can be secured by condition, provides reassurance that many of the issues raised by objectors can be avoided or the likelihood of harm minimised. Although the site will not be physically manned, the operator will have evidence from

their booking system, security camera and online feedback form enabling them to influence visitor behaviour and restrict access to any disruptive clients.

- 13.40. Given that the proposal will change the nature of the use of the site and there are residential properties nearby, the application is supported by a noise impact assessment. This is based on a survey in May 2025. Background noise levels were recorded between 8th-15th May 2025 to provide a baseline. Source measurements were taken during a one-hour dog walk with six dogs and six people. The assessment confirms that when compared to baseline noise levels, the impact at the closest residential façade to the site is classified as 'low impact'; the anticipated average noise levels would be lower than background noise levels experienced by nearby properties.
- 13.41. The validity of the noise assessment has been challenged by a noise consultant on behalf of objectors. They identify uncertainties in the assessment which they consider could lead to noise impact being significantly underestimated. They consider that the baseline noise level is too high for what would be expected for the area, although no evidence of an alternative baseline has been provided. The consultant has advised that reliance on average noise levels is inappropriate for intermittent noise that would be anticipated from dogs and their handlers. They consider that the noise assessment should have included a correction for the highly impulsive nature of noise anticipated from the park to assist understanding of how loud noise could be perceived and place greater emphasis on the worst case scenario (if all six dogs in part 1 were to bark simultaneously in the corner of the field closest to the property). In combination they contend that this would result in an unacceptable impact above background levels. They also focus on the potential number of barks (10k per week if the dog park was fully booked and each dog barked once every 7 minutes) and highlight the proximity of residential gardens to the site, concluding that the use has the potential to result in significant disturbance for neighbours.
- 13.42. Following the initial submission of the noise report the Council's Environmental Health Officer raised no concerns about the proposal provided any approval was subject to a condition requiring compliance with the operating plan. In the light of the objections, they have reanalysed the scheme and have commented that there is a lack of recognised standards for specifically assessing noise from dog barking. They have advised that it is very difficult to predict the likely noise impact from a dog walking field using models to calculate noise levels due to the unpredictability of different dogs, their barking characteristics, behaviours etc. The operational management of such a site is key.
- 13.43. Having regard to the representations and the proposal for an unmanned facility the Environmental Protection team requested further clarification on management of the site. The applicant has subsequently updated the Operations Plan to clarify that CCTV will be monitoring the site and sample footage will be checked for all new clients in real time, with clients called if dogs are seen barking. Sample CCTV footage will also be reviewed at regular intervals for existing clients who are seen to have quiet dogs.

- 13.44. Objectors have concerns that the Operations Plan is unenforceable as there is too much reliance on voluntary compliance with the requirements, but officers judge that the updated plan is appropriate to reduce the likelihood of harmful impacts from the unmanned site; it is reasonable to anticipate that those paying to use the dog park will comply with the rules and the operator has surveillance and means to receive feedback to enable action to be taken against users who fail to comply and/or cause a nuisance.
- 13.45. Officers recognise that dogs visiting the site may bark causing higher than average noise levels and associated disturbance to local residents, but occasional barking already contributes to the local soundscape with dogs living in the area and/or being walked along footpaths in the vicinity of the site. Objectors have expressed fear of disturbance blighting their enjoyment of their property and reference has been made to conflict with the Human Rights Act, but the operator has committed to contacting the owners in real time if they identify barking via CCTV and banning any dogs that continuously bark. Users and residents will have the opportunity to provide feedback online to help identify any offenders.
- 13.46. The nearest residential properties are 427 Long Lane and Old Dairy Cottage located to the south west approximately 60m and 100m from the site respectively. It is recognised that the garden of Old Dairy Cottage, will be more affected as it extends north so that it is approximately 12m from the southern boundary of Dog Park 2, but with the operating plan limiting the number of dogs to a maximum of 16 on site at any time, it is judged that the proposed use can be accommodated on the site without demonstrable harm to residential amenity from noise.
- 13.47. Concerns have been raised by objectors that the supporting statement refers to the dog park being predominantly used by 'sensitive and reactive dogs who cannot exercise nearby other dogs'. Whilst objectors associate such dogs with greater likelihood of barking, the applicant has clarified that the park will be for any dogs, with the intention of providing a safe place where owners can exercise their animals while avoiding their dogs' triggers.
- 13.48. It is recognised that the use of the land as a dog park will encourage visitors to the area with a worst case scenario of 6 additional trips per hour 7am to 8pm each day, although the intensity of use is likely to be lower as most bookings are anticipated to be individuals/families arriving in one vehicle. It is noted that Long Lane already serves two public houses- the Barley Mow Inn to the northeast and the Horns Inn to the southwest- as well as residential properties and agricultural land so tranquillity is already affected by road use. Whilst it is understandable that objectors are concerned about the impacts of further traffic on the character of the rural lane, the number of trips associated with the development, and their anticipated nature (private cars rather than larger agricultural/commercial vehicles) supports the conclusion that there would be no significant change to the character of the use of the highway.
- 13.49. The Proposed Site Plan provides detail of the proposed boundary enclosure locations, including fencing and gates. This revised drawing includes the proposed deer fence

detail drawing, and can be secured by condition. The proposed double fencing would provide suitable enclosures for the dogs within each dog park. There are also at least two gates between each dog park and the road to provide security. Whilst it is recognised that there is legitimate concern about potential harm that dogs could cause to livestock in the vicinity if they escaped, users of the dog park will remain responsible for their animals with close personal supervision anticipated. A condition requiring the retention and maintenance of the fences is considered necessary and reasonable to mitigate such concerns (condition 4).

- 13.50. Concerns have been raised about smell from dog faeces. A dog waste bin is to be provided with collection by a private waste company; the operations plan envisages this taking place at least every 4 weeks or more often as necessary. Objectors have raised concern that 4 weeks is too long, but this would depend upon the intensity of use of the park and weather conditions, so as the proposed maximum duration without emptying, the period is considered acceptable. Due to the distances from residential properties, no harm to neighbouring amenity is anticipated.
- 13.51. Concerns have been raised about overlooking of neighbouring gardens. The garden of Old Dairy Cottage slopes up from north to south and the northern end of the garden extends to approximately 12m from dog park 2, separated by agricultural land while the dwelling is over 100m from the site boundary. Even in winter only very limited views are available to those using dog park 2 as a result of intervening vegetation and an earth bund/spoil bank in the southwest corner of dog park 2. No significant harm from overlooking has been identified.
- 13.52. Subject to conditions securing the fencing and operations in accordance with the operating plan, the proposal accords with local policy HE2 in terms of impact upon amenity including neighbouring amenity and DES2 as no unacceptable impacts are anticipated.

Heritage

- 13.53. Objections received from third parties set out that the proposal would result in a harmful impact on the character and setting of the listed buildings and Conservation Area and would be contrary to local policy HE1 and paragraphs 212 & 213 of the NPPF.
- 13.54. The application site is not located within a Conservation Area; the edge of the site is approximately 11m distance from the edge of the Burts Hill/Merrifield Conservation Area which incorporates the garden of the grade II listed Old Dairy Cottage.
- 13.55. The proposed use of the site will maintain its wooded, rural character. The visual impact of the additional fencing and CCTV poles is limited in the context of the vegetation on the site and there is significant tree screening between the heritage assets and the proposed position of the container to the northeast of the site.
- 13.56. The Council's Conservation Officer originally raised no objection. With regards to the proposed container within the site, the Conservation Officer requested that the material of the container has a natural green tone which will assist with its visual integration.

- 13.57. Further comments were sought from the Conservation team in the light of objections that raised concern about the impact on the setting of the listed buildings and conservation area. The Conservation officer confirmed that the contribution made by noises and smells to significance is a consideration when assessing the way in which we experience an asset in its setting.
- 13.58. The Conservation officer notes that the 1888-1913 OS Map would suggest that Old Dairy House (aka Cottage) may have functioned as a dairy with agricultural buildings to the rear providing direct access to animals in open fields to the north. The OS Map also shows No 427 to the east of Old Dairy House, set back and visible from Long Lane. The intervisibility, design and materials connect both sites visually with mature green boundary to the side defining site boundaries. Although set back from development elsewhere along Long Lane and Merry Field Hill, the conservation area boundary has been extended to include both sites. The proximity of buildings, position close to Long Lane and perceived former agrarian use of Old Dairy House contribute to the historic and aesthetic connection that amplifies the experience of the significance of each heritage asset affected by the proposed development.
- 13.59. Changes to buildings and landscape over time have affected the special character of the listed buildings and their setting. Both Old Dairy House and No 427 appear to be now in residential use. Land to the rear of the proposed development site has been planted creating a sense of enclosure to the NE of Old Dairy House and No 427 and division from the open wider landscape setting to the east. Increased traffic from Long Lane contributes to noise, movement, and activity close to heritage assets.
- 13.60. The Conservation officer considers that the proposed development may introduce some additional traffic and noise, but the degree of change arising from the proposed development on an already changed experience of heritage assets are low. The impacts are not likely to change the attributes of significance of the heritage assets set out above which will remain in a predominantly undeveloped rural landscape.
- 13.61. Officers conclude that subject to conditions, the proposed development accords with local policy HE1 and with the policies in section 16 of the NPPF as no harm to heritage assets in the area has been identified.

Highways and Parking

- 13.62. In its objections to the application Holt Parish Council has raised concerns over the impact from additional traffic associated with the proposed Dog Park. It notes that Long Lane lacks passing places and considers it is an over-used single track road. It also raises concerns about the impact of additional visitors travelling through Holt Parish to access the site and anticipate issues if vehicles are waiting to access the site for a booked slot.
- 13.63. The Ward Councillor has raised similar concerns about conflicts between different road users (walkers, riders, farm vehicles, and residents) and increased likelihood of vehicles being forced to reverse or damage verges.

- 13.64. Third party objection have raised concerns that the proposal is contrary to local planning policy KS11 and NPPF paragraph 116. A severe impact upon highway safety is anticipated by them in the light of inadequate infrastructure, a narrow access, highway safety concerns and risk of accidents to users of Long Lane (walkers, cyclists and horse riders), that footpaths emerge onto Long Lane, that there will be an increase in traffic/congestion, an increase in vehicles to the site, that there are few passing places and that the proposed visibility splays are not suitable and are unlikely to be maintained.
- 13.65. The Council's Highways Officer was consulted on the planning application. They are aware of the character of Long Lane, which is part of the adopted highway network. The road has a 60mph speed limit which would normally require a visibility splay of 2.4m x 151m but the application is supported by a traffic survey which shows that the 7-day average 85th percentile speed along this section of road is 38.1mph north east bound and 38.5mph south westbound. The existing access benefits from visibility splays of approximately 79m, 79m being the recommended visibility splay for 40mph roads. As the survey shows that speeds are in this region, the Highway Authority has accepted that the access arrangement is appropriate.
- 13.66. Objectors have suggested that the traffic survey, carried out in 2022, is out of date, but as no material changes to the nature of the road have been identified, officers consider it unlikely that traffic speeds would have materially increased so as to prevent this data from being reliable.
- 13.67. The Highway officer has noted third party concerns about the road width and lack of official passing places on the section of Long Lane where the proposed dog exercise park is located but has commented that there are several points where it would be possible for a vehicle to pull over in order to let another vehicle pass, which is not uncommon for a rural road, and that the nature of the road helps to keep speeds down.
- 13.68. As the dog park will be pre-booked by an individual or a small group the Highways officer considers that the parking provision is acceptable for the intended use. Objectors have raised concern about the 'tight changeover times' but 10 minutes is judged appropriate by officers who also note that sufficient space is provided within the site for vehicles to wait away from the highway should they arrive early. Objectors have suggested that these areas could be exploited as additional parking spaces but the operator could take action against such a breach of the operational rules which would be evident via the CCTV.
- 13.69. Concerns have been raised about vehicles stopping on the highway to open the gates, but the gates are set back sufficiently from the highway to enable a vehicle to stop without impacting traffic flow. The sessions for the two dog park areas will commence on the hour and half hour so queues to enter the park are very unlikely.
- 13.70. Objectors are concerned about the provision and maintenance of the proposed 79m wide visibility splays. The splays are over highway land, and it is recognised that vegetation needs to be managed to maintain visibility. The Highways Authority is responsible for the management of road verges and Dorset Council has a programme for cutting in rural and

urban areas. This notes that *'The junctions and visibility splays are cut by the contractors and also regularly throughout the year on an 'as needs' basis by our in-house staff, and we will undertake additional cutting anywhere on the network later in the season where this is required to maintain safe passage along the highway.'* It can therefore reasonably be assumed that the visibility splays can be relied upon.

- 13.71. The Highways Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection, subject to conditions to secure the hard surfacing of the vehicle access and the provision and maintenance of the turning/manoeuvring and parking construction.
- 13.72. No grounds which would warrant refusal of the application in terms of NPPF paragraph 116 have been identified and the scheme is found to accord with local policies KS11 in respect of highway safety and KS12, parking provision, and with the policies of section 9 of the NPPF.

Flood Risk and Drainage

- 13.73. Third party objectors have raised concerns over flooding risk and the susceptibility of the site to flooding from groundwater with concerns that that the proposal is contrary to local planning policy ME6 and NPPF paragraph 173.
- 13.74. The Environment Agency was consulted as the application site lies within 20 metres of a watercourse, but the Environment Agency has confirmed that the application proposal does not fall within its criteria for consultation on planning applications, so have not provided comments.
- 13.75. It is acknowledged that the application site is covered by an area that the Dorset Level 1 Strategic Flood Risk Assessment (SFRA) identifies as having high groundwater levels, and that there are some areas of the site that have surface water risk.
- 13.76. The submitted Flood Risk Assessment (FRA) notes the high groundwater levels, but also states that the proposal would not exacerbate the risk of flooding off site. The use of grasscrete to provide the hardsurfacing maintains existing permeability and the new storage container within proposed Dog Park 2 is of very limited size.
- 13.77. The proposed amenity use of the land falls under the 'water compatible' category of development in relation to flood risk. The Council's Flooding Engineer has advised that any excess water from the site is likely to run towards the south-west of the site given the topography. The proposed container is modest in terms of its size and footprint as are the parking areas, and these proposed elements are not considered to result in a harmful impact in terms of flooding.
- 13.78. The scheme is not considered to increase flood risk in accordance with local policy ME6. The permeable parking surfaces can be secured by condition (no. 7).

Biodiversity

- 13.79. Objections received from the parish, Ward Member and third parties raise concerns over the scheme harming wildlife including as a result of noise, disturbance and lighting contrary to local policy ME1 and NPPF paragraph 187.
- 13.80. An Ecology Report (dated 25/04/2025) was submitted in support of the application, which has been certified by Dorset Council's Natural Environment Team. This identified that the habitat was suitable for dormice, great crested newts, smooth newts, bats and nesting birds. Mitigation measures to ensure that works did not affect protected species and biodiversity enhancement in the form of 5 wooden dormouse nest boxes were identified as appropriate.
- 13.81. Objectors have raised concerns that management works to the woodland prior to the ecological assessment could have impacted on protected species but the assessment took place prior to tree crowns being raised and no evidence has been provided to support this contention.
- 13.82. A supervision statement has been received by the Council confirming that the works to remove 1.5m of hedgerow, work to crown lift the trees and hedgerow laying were undertaken in accordance with the ecology report.
- 13.83. Following recent concerns raised by third parties about impacts on protected mammals, the ecology report has been supplemented by a report dated 19 November 2025 by ABR Ecology; a walkover of the site found no evidence to suggest that protected mammals are using the site. The applicant has also provided documentary evidence from 2001 suggesting that a previous owner of the land erected deer fencing in association with creating a woodland on the site, which could explain the lack of use of the land despite the presence of fruit trees.
- 13.84. Concerns have been raised that the proposed use of the land could result in noise and scent markings disturbing the activity of protected species off-site. The applicant's ecologist has explained that this is unlikely as nocturnal activity would not coincide with the use of the dog park during the day. The dogs will be contained within the park, so operational use is not likely to result in an offence from damage/destruction, obstruction or disturbance. The Council's Natural Environment Team are satisfied with the ecologist's conclusions in the light of Natural England guidance and have not raised an objection.
- 13.85. Biodiversity Net Gain (BNG) is required by statute and is being secured on the site; details were provided prior to commencement of works after the applicant received the initial planning permission that was subsequently quashed. BNG has been secured by enhancing over 1ha of broadleaved other woodland from poor condition to moderate condition representing a total gain of 33.3% for habitat biodiversity. The creation of 170m of species rich native hedgerow has contributed to 10.6% gain of hedgerow biodiversity units and 60m of ditch has also provided 10.32% increase in watercourse biodiversity units.

- 13.86. Although the majority of works have now been carried out, a biodiversity condition remains relevant to ensure that the proposal accords with local policy ME1 and the Dorset Biodiversity Appraisal Protocol.
- 13.87. The operating plan identifies that there will be no lighting on the site, but it is considered necessary and reasonable to add a specific condition in the interests of biodiversity. Subject to this condition the proposal is judged to accord with policy ME1.

Impact upon Dorset Heathlands

- 13.88. The application site is located within 5km of Dorset Heathland. The Council has carried out a Habitats Regulations Assessment that rules out a likely significant effect at the screening stage, so a full Appropriate Assessment has not been necessary. Natural England were consulted and raised no objection.
- 13.89. No harm to protected Habitats Sites will arise from the proposal so there is no conflict with policy ME2.

Other Matters

13.90. Groundwater Zone and Drinking Water Zone:

- 13.91. Objectors have raised concerns that with a pond on the site and a stream outside of the application site, the proposal will result in contamination of water. Pollution to groundwater and drinking water zones were also mentioned.
- 13.92. Although dog urine and waste has the potential to contribute to water pollution, this site does not lie in a water catchment area where nutrient pollution would result in harm to protected Habitats Sites. The operating plan identifies that customers will be encouraged to use the dog waste wheelie bin on site and the site will be checked for dog mess daily so it is considered unlikely that any significant waste would remain on site for long.
- 13.93. The Environment Agency confirm that it has checked the application against its GIS mapping constraints and consultation requirements. It confirms that the site is not located within a source protection zone and that the proposal has a low environmental risk use.
- 13.94. Therefore, the application is not considered to result in any significant pollution, including any impact upon the groundwater zone and drinking water zones.

Rights of Way:

- 13.95. The Ramblers Association has commented on the application and notes that footpath ref: FP E45/33 runs immediately to the west boundary of the site (adjacent west boundary of the northern part of the site which branches out to the west). The Ramblers Association has requested that in the event permission is granted, the applicant is reminded of the need to keep the footpath open and available for public use.
- 13.96. The Council's Rights of Way Team have similarly advised that the footpath must remain open, unobstructed and safe at all times, and that if the footpath needs to be temporarily

closed, this can be applied for via the Council's website by contacting the Rights of Way team. An informative note will be applied to any positive decision notice.

Impact on welfare of local livestock

- 13.97. Concerns over the welfare of farm animals including lambs (livestock worrying) has been raised by third party comments. There are concerns that the proposal would conflict with the Animal Welfare Act 2006 which imposes a duty of care for animals on owners to provide a suitable environment and place to live. The Dorset Shepherding Services and National Sheep Association have noted that chasing and barking can be stressful to sheep. The dog park is intended to provide a secure and interesting environment where dogs will be supervised by their owners in enclosed areas beyond the grazed fields. As explained earlier in the report, the operations plan identifies that dogs who bark consistently will be banned from the site.
- 13.98. Reference has been made by objectors to decision on a planning appeal in Yorkshire which was dismissed (application ref: ZC23/02361/FUL). In that instance use of land as a proposed dog walking field was refused because the Inspector judged that the location was inappropriate; the topography of the site would encourage activity close to timid Hebridean sheep in the neighbouring field. Intervisibility and proximity meant that the sight, smell and sound of dogs in the adjacent field were judged likely to cause distress to sheep resulting in harm to the neighbouring land uses, detracting from the environmental and economic wellbeing of the area. In relation to sheep grazing on another adjacent field, the Inspector found that there were different circumstances and a materially different effect.
- 13.99. In this case it is understood that a small flock of Ouessant sheep are kept in the fields to the south-west of the dog park and when lambing, in the garden of Old Dairy Cottage for security from predators. Although Ouessant sheep are the smallest breed they are not characteristically timid like the Hebridean sheep mentioned in the appeal example. The site is well screened from the neighbouring agricultural land to the west by hedges and an earth mound. Bamboo fencing to supplement the deer fencing has been erected along part of the southern boundary close to the garden of Old Dairy Cottage and there is a strip of third party land between the proposed dog park and the garden of Old Dairy Cottage which would also assist to reduce any potential for dogs to notice sheep if they were in the garden. It is recognised that the proposal will likely increase the occurrences of barking in the vicinity, but this will be limited by the provisions in the operational plan; limited number of animals and separation of booking sessions.
- 13.100. Sheep grazing also occurs on land to the south of Long Lane opposite the site, but this is separated from the site by the highway and hedgerow. Concerns have been raised about dogs escaping, but that is considered very unlikely as they will be in enclosed areas and under the supervision of their owners. The operations plan requires that banned breeds are declared and a one-to-one dog handler ratio is maintained. It is recognised that there is a risk that wild animals may burrow under the fencing at night creating holes that might allow dogs to escape. The applicant has confirmed that existing

boundary fencing alongside the public footpath (where there are some holes evident) is due to be updated prior to the use of the dog parks and that fencing will be checked daily, while users will be expected to supervise their animals and be alert for any fence related issues.

- 13.101. There are also animals are kept in paddocks adjacent to the dog park. The operating plan includes reference to neighbouring animals close to Dog Park 2 ensuring that potential customers have advance warning so can choose Dog Park 1 if their dogs are likely to react. The erection of double fencing would prevent dogs from accessing the animals by putting their head through the fencing. The park areas are large enough that close proximity to the boundary fences can be avoided.
- 13.102. Subject to a condition to secure the provision and maintenance of the fencing it is judged that the location and character of the land is such that the proposed use is compatible with and would not harmfully impact on productive use of nearby agricultural land.

Banned Breeds

- 13.103. The reference to banned breeds in the Operations Plan has heightened objectors' concerns about the safety of the site and risks if a dog escaped.
- 13.104. The applicant has explained to officers that this was included in recognition that the XL bully ban from December 2023 means that there is the potential that a customer might still own such a dog. The bans on other breeds have been in place for longer so ownership is unlikely and not anticipated.
- 13.105. Officers are satisfied that the Operations Plan mirrors DEFRA guidance for security purposes. The requirement for a copy of the life certificate to be provided at the time of booking allows the operator to be alert to the presence of a banned dog on site and the CCTV can be used to check that the 1 on 1 dog/handler ratio is complied with.

Consultation/Site Notices:

- 13.106. Third party comments initially raised concerns over the lack of consultation on the proposals on the application site. The planning application was advertised via the display of 3 no. Site Notices in three locations along Long Lane: near the site entrance, to the east of the site near to the adjacent field, and also to the west of the site near to Acorn Cottage. These were repeated for the re-consultation period.

Supporting comments from third parties who do not live locally:

- 13.107. Concerns have been raised over the large number of comments of support which are from residents outside of the Parish, and that these supporters are not neighbours as stated on Dorset Council's website. It is recognised that the majority of those in support live outside the area suggesting that dog park users are willing to travel some distance to access such facilities.

Development commencement:

- 13.108. Third party comments have raised concerns that work has started on site before the decision has been made on the planning application.
- 13.109. The Case Officer carried out a site visit on 04/03/2025 and there was no evidence that work has commenced at that time. Subsequently works have taken place as the applicant believed they had been granted a legitimate permission.

Accuracy of submissions

- 13.110. Third party objections and comments received have raised concerns that the submitted documents and drawings are incorrect. During the course of the application an amended plan was received to clarify the works proposed/undertaken.
- 13.111. The application has been considered on the basis of the information submitted and from a site visit which included neighbouring properties and the public right of way.
- 13.112. Concerns have been raised that Ownership Certificate A has been completed when the Land Registry records are yet to confirm ownership. A Land Registry request has provided evidence that registration of her purchase has been pending at the Land Registry since November 2023 in relation to the land edged red on the site plan, so she had legitimate reason to complete certificate A. Officers have also seen evidence to validate the applicant's claim of rights of access to the land over the area edged blue. In recognition that the Land Registry update is still pending, the applicant has latterly agreed to complete certificate B after serving notice on the previous land owners who continue to hold the legal ownership of the land in trust until completion of registration to the applicant. One of those land owners had already written in support of the application. A decision on the application can be made 21 days after notice was served.

14.0 Summary of issues and the planning balance

Subject to conditions, the application is judged to accord with the Development Plan. There are no reasons that would warrant refusal of this application.

15.0 Recommendation:

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to GRANT permission following the 21 day owner notification period subject to no further representations being received from owners which raise new material planning considerations, and subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 357.GA.01 Block and Location Plan
 - 357.GA.02 B Proposed Site Plan
 - 357.GA.03 Proposed Car Parking Plans
 - 357.GA.04 Proposed Container Plans and Elevations
 - 357.GA.05 Proposed Deer Fence Plans and Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development shall be carried out in accordance with the following approved Habitat Management and Monitoring Plan (the HMMP) which has been prepared in accordance with the approved Biodiversity Gain Plan:
 - a) Habitat Management & Monitoring Plan V.1 (dated 16/05/2025, received on 27/05/2025).
 - b) Biodiversity Gain Plan (received on 31/07/2025).Thereafter, the development shall be carried out, along with the management and monitoring of habitat, in accordance with the approved HMMP.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

3. Only one container shall be positioned on the site at any time and only in the position shown on the approved plan. Any container shall be green in colour.

Reason: To ensure a satisfactory visual appearance of the development near to the Conservation Area.

4. Before the site is brought into use as a dog exercise park, the fence repairs identified on plan 357.GA.02 B Proposed Site Plan shall be carried out and deer fencing to accord with drawing 357.GA.05 Proposed Deer Fence Plans and Elevations shall be in place around the perimeters of the two dog parks. The fencing and access gates shall thereafter be retained and maintained as a secure barrier to prevent dogs escaping.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of safety and the amenities in this rural location.

5. The use of the site shall be undertaken strictly in accordance with the Operations Plan (received 9.12.2025). The owners/operators of the site must maintain an up-to-date register of the names of all customers and of their contact details, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.
For clarity, no more than 1 booked session can take place at any one time within each of the two dog park areas (Dog Park 1 and Dog Park 2).

Reason: To protect local and neighbouring amenity and impacts on ecology

6. The hours of use by customer(s) accessing the site with their dog(s) shall only be permitted during daylight hours and not outside the hours of 7am to 8pm daily when daylight permits. Outside of daylight hours, the site shall not be used by customer(s) and/or any dog(s).

Reason: To mitigate harm to the amenity of users of adjacent sites and the rural character of the area.

7. Before the development hereby approved is utilised the turning/manoeuvring and parking shown on Drawing Number 357.GA.03 (Proposed Car Parking Plans) must have been

constructed. The parking area hard standing shall be constructed of Grasscrete (in line with SuDS standards) and maintained as such. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interests of highway safety, to avoid increasing the risk of flooding, and in the interests of amenity.

8. The detailed biodiversity mitigation, compensation and enhancement strategy set out within section 5 (Biodiversity mitigation and enhancement plan) of the Ecology & BNG Assessment report (Final V.3, dated 25/04/2025) at paragraphs 5.3 to 5.8, certified by the Dorset Council Natural Environment Team on 25/04/2025, must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

i) the mitigation, compensation and enhancement measures detailed in the approved ecology report have been completed in full, in accordance with any specified timetable. The development shall subsequently be implemented entirely in accordance with the approved ecology report.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

9. No external lighting is to be installed on site.

Reason: In the interests of biodiversity and the rural location within the landscape.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

2. Please check that any plans approved under the building regulations match the plans approved in this planning permission. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission.

3. Informative Note: Rights of Way

The safe free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on a right of way, then a Temporary Path Closure Order must be obtained. This can be applied for through Rights of Way at Dorset Council see <https://www.dorsetcouncil.gov.uk/w/changing-the-definitive-map>, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application. This application and legal order must be confirmed before any works obstructing the path are commenced.

Any damage to the surface of the footpath attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980 by the applicant.

4. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.