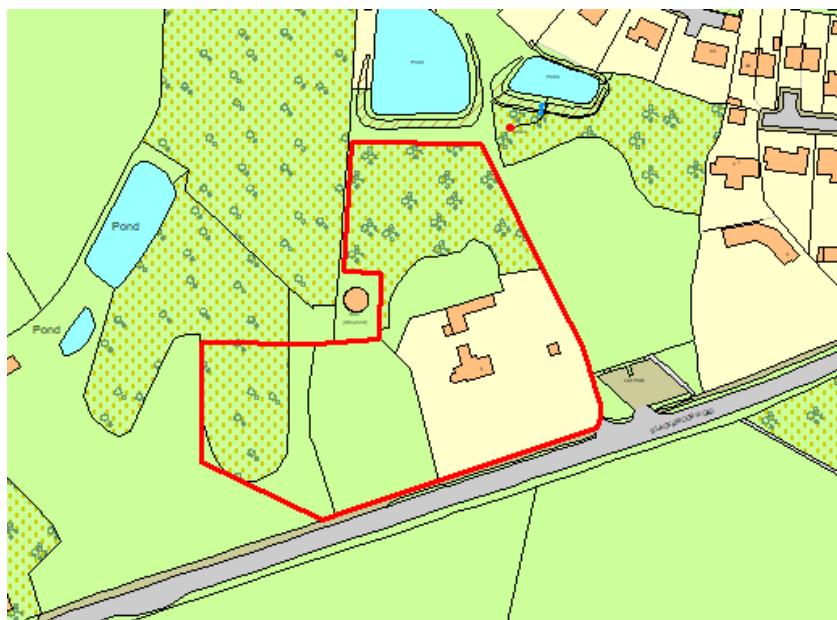


**REPORT TO THE PLANNING BOARD TO BE HELD ON THE
27TH NOVEMBER 2025**

The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.

Application Number	RB2023/0283
Proposal and Location	Change of use of land to dog walking paddocks and training facility including extended car parking area, 4 Blackamoor Road, Swinton - https://rotherham.planportal.co.uk/?id=RB2023/0283
Recommendation	Grant subject to conditions

This application is being presented to Planning Board due to the number of objections received.



Site Description & Location

The application site is allocated Green Belt in the Local Plan and comprises of a property known as Strawberry Cottage on Blackamoor Road in Swinton and land surrounding the property. In particular, the application relates to an area of woodland to the rear of the property and an open area of land with a hedge along the highway to the west.

The site is situated along the northern side of Blackamoor Road in the southern part of Swinton. To the north of the site are a number of mature trees and beyond this is the southern edge of the Swinton residential area.

The application site comprises an area of land approximately 0.9 hectares in total that surrounds Strawberry Cottage.

There are also heritage assets in the northern area of the site and these include the former Swinton Kiln which is both a Listed Building and an Ancient Monument.

The site does not share any direct boundaries with other residential properties with the nearest boundaries being between 40m to 45m from the boundary of the “walking paddock” in the northern area of the site.

In September 2025 a clarified plan was submitted which also includes an overspill area in the western side of the site is to be formally included within the red-edge site area of the planning application.

Background

The site has previous planning history dating back to the 1980s. This includes an extension to the original property in 1988.

In 1997 a conversion of the property into a licenced bar and restaurant was refused.

In 2016 an application for a first floor balcony extension was refused.

A screening opinion is not required for this development as it does not meet the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

This application has been submitted following earlier enforcement complaints. These have been investigated over several years and initially the level of use taking place was considered to be ancillary to the residential character of the property, not requiring planning permission. In more recent times however, it is considered that the use had intensified to a scale where it now represents a material change of use of the site for use as a dog walking paddock and dog training facility.

Proposal

The application seeks full planning permission to regularise the existing use of the site as a dog walking paddock and dog training facility. The application does not propose any new formal or permanent building works.

The application proposes to continue use of the existing access from Blackamoor Road in the east of the site. It is proposed to utilise an existing area of parking to the east of the existing building and also create a new area of overspill parking (utilising the existing access from Blackamoor Road) to the south of the building and adjacent to the highway behind a stone wall. It is proposed that the new area of overspill parking will not be formally surfaced but will utilise a grasscrete type surface.

Following queries and objections raised during the determination of the application, the applicant has provided additional information within a planning statement to clarify and address these which can be summarised below:

Planning Statement

The objections primarily highlight noise from the “walking paddock”, namely from groups of dogs and for prolonged periods, throughout the day and into the evening. Whilst it is appreciated that dogs bark, it is not to the degree stated.

To understand the day-to-day workings of the business, the services offered are as follows:

Monday, Wednesday and Friday (all services completed by 2pm)

- We have two walking rounds, one in the morning and one in the afternoon.
- Each round has a maximum of 10 dogs; however, many rounds are less than this.
- The dogs are collected from their homes in our van, transported to our site and exercised for 1 hour. They are then returned to their homes.
- During this period, no client attends the site for such services and therefore no parking is utilised. Dogs are therefore only upon the “walking paddock” for two hours in total.

Tuesday and Thursday (all services completed by 2.30pm)

- In addition to the above, we offer a “stay and play” service. This is a 2-hour session and limited to a maximum of 15 dogs, however numbers are often below this. During this period, owners attend to drop off and collect their dogs only. They do not stay and therefore parking spaces are only utilised for a short period.
- Dogs are therefore only upon the “walking paddock” for two hours in total.

Sunday (last Sunday of each month; services completed by 2pm):

- On the last Sunday of each month, we host Yorkshire Rottweilers and Yorkshire Labradors. Each session lasts 1 hour and has a maximum of 15 dogs.
- Owners do attend these sessions and parking is therefore required. All further services do not relate to group sessions. The proposed opening times merely allow for training to take place thereafter, where, as outlined in the proposal, would be a maximum of two dogs per session.

Overall the following supporting information has confirmed that the use will include:

- When not being used by the owner for dog walking rounds, the dog walking paddock is to be utilised for private hire. This is operated via a booking system only and will not allow clients to turn up speculatively at the site.
- There will be a maximum of 30 dogs on site at any one time (i.e. 15 in the dog walking paddock' and 15 in the second paddock). The maximum of 30 dogs will be aimed at organised events or the odd spontaneous session dependent on user demand/ requests.
- Events will be once a quarter, our weekly sessions have attracted a maximum of 24 dogs this year, which was a session over the summer.
- Events and sessions will be within the proposed business hours, we do not open during the evenings.
- Inclement weather generally always dilutes numbers.

Responses to objections

- The opening times also relate to the “Dog Park” as outlined within the proposal. The minimum distance for the same would be circa 120 to 125 meters from the top corner of the paddock to 46 Warren Vale Road.
- An issue which will require addressing in relation to noise, is the fact that located between the property and those of any residents within the 45 meters, is council land known as “Pottery Ponds”. This land is open to the public at any time of day or night and is commonly used by the public to exercise their dogs, families and other dog walkers and trainers. As such, the following pertinent question arises; How have the residents confirmed or differentiated any noise or purported barking from dogs utilising “Pottery Ponds” in addition to any purported noise arising from Invictus Squad?
- In addition to the above, it is noted that several residents of both Warren Vale Road and Woodman Drive are dog owners. It is commonplace during various times of day and night that their dogs bark. Again, has this been differentiated or outlined?
- It is also noted that we own five of our own dogs which are exercised on our land once the business is closed. As such, any barking from our own dogs does not arise from business use or this proposal.
- The council will be aware that noise complaints have previously been investigated (Ref: B24060) and on 10 May 2022 the council closed the case having concluded that there was no statutory nuisance from dog barking or noise generally from the business premises.

Barking – as mentioned within the preamble other dogs utilise pottery ponds and unfortunately not all dogs are well managed, as such many dogs run up to the fence barking. This is outside of our control.

Small children – The safety of children around dogs is of paramount importance given that we have 3 of our own children but specifically, one of which is a toddler. We are aware of two small children attending such a group event. Dependent upon the period of time of observation, the author of the

objection will have also witnessed that the family were asked to remove their children from the group scenario due to their age. Our policy is that no child under 10 are allowed within group sessions with a responsible adult and no children under 16 are allowed without an adult. Further, we often see and speak to the local nursery who specifically come and visit to see the dog's play and speak to many children about dog safety.

Pottery Ponds – this area has been used a handful of times to provide clients with real life experience of situations and to progress training. Again, no authority or complaint has been received as to the same. Should the council wish for this to cease, it will cease with immediate effect.

Parking – Clients are informed that parking is available within the grounds of 4 Blackamoor Rd and this is utilised. Whilst clients do park within Pottery Ponds car park, the applicant cannot restrict this given that the same is for public use. The car park generally is used sparsely by locals or others. We are unaware of any traffic issues and note that South Yorkshire Police often use the car park for briefings with their traffic officers. No issues have been raised by them or any other authority. It is noted that no complaint is made of when the car park has been used by local ramblers or local events when the same has been full, all overspill of cars have in fact parked upon the main road grass verges.

Close Proximity to residential properties – the closest properties boundary is circa 40m to 45m to the land in question. Proximity of matters is subjective and whilst it is appreciated that one may deem the same to be "close", a minimum distance of 40m places a dilution upon the same.

Ancient Monument – as outlined within the proposal we are actively involved with the upkeep of the Kiln and access to the Kiln for any works is required via our land given that the path leading to the same is too narrow to allow access. As such, when access is required, we have previously closed our business and allowed access for works to be carried out. As such, we appreciate the important history of the area and have managed the business with the same in mind.

Lighting – This is not used for business purposes and does not form part of this application. there will not be any utilisation of classes or the business after dusk and therefore any lighting is not business related. Sometimes external lighting is used during darker days, but this is for a private family use.

No alterations to the boundary treatments along the edge of the site or the surroundings.

The Planning Statement concludes that the site has operated without planning permission, as permission has not been sought previously following the advice of the planning department who were of the initial view that no material change had taken place.

Following initial concerns raised by consultees, additional supporting information was submitted including a noise survey and a Transport Survey. These can be summarised below:

Noise Impact Assessment

The objectives of the noise impact assessment were to:

- Assess the potential impact of the development on the nearest noise sensitive receptors (residential dwellings) with reference to pertinent guidelines.
- Provide recommendations for structural management controls, as necessary, to ensure that the nearest noise sensitive receptors do not experience a loss of amenity due to noise.

The submitted statement can be summarised as follows:

- The site has been in operation as a dog walking and training facility for 4 years.
- The nearest noise sensitive receptors are considered to be the residential dwellings at Warren Vale Road (circa 50m distant at the closest point) to the north-east and Pottery Farm (circa 130m distant) to the south west.
- A noise survey was undertaken to assess noise levels at noise sensitive receptors proximate to the development, where the noise climate is controlled by distant and local road traffic noise.
- Noise from dogs barking was also audible from the public land to the north of the site throughout the survey period.
- Noise from the development itself was occasionally audible at the measurement positions, with up to 2 numbers of dog barks per hour. Up to 13 off-site barking dogs were observed per hour during the survey period on public land.

Highway survey

- Blackamoor Road is subject to a national speed limit (60mph), however, due to the nature of the road, close to a roundabout, and its alignment within the vicinity of the property, vehicle speeds are lower than the posted speed limit.
- Sanderson Associates conducted a manual speed survey of vehicles travelling westbound along Blackamoor Road on the 19th April between 11.26 and 12.46.
- The speeds recorded ranged between 25 to 47mph.
- The average recorded speeds was 33.3mph with 37mph representing the 85th percentile of all speeds.

Development Plan Allocation and Policy

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with the Sites and Policies Document which was adopted by the Council on the 27th June 2018.

The application site is allocated for Green Belt purposes in the Local Plan. For the purposes of determining this application the following policies are considered to be of relevance:

CS3 'Location of New Development'

CS4 'Green Belt'

CS19 'Green Infrastructure'

CS20 'Biodiversity and Geodiversity'

CS21 'Landscapes'

CS28 'Sustainable Design'

SP2 'Development in the Green Belt'

SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt'.

SP32 'Green Infrastructure and Landscape'

SP42 'Archaeology and Scheduled Ancient Monuments'

SP43 'Conserving and Recording the Historic Environment'.

SP52 'Pollution Control'

SP55 'Design Principles'

Other Material Considerations

National Planning Practice Guidance (NPPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when this site was launched. It was last updated on 17th September 2018.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The revised NPPF came into effect in December 2024. It states that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise."

The Local Plan Policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

Publicity

The application has been advertised by way of press notice, site notice and individual letters to neighbouring properties. More than 300 representations in support and against the application have been received and these can be summarised as follows:

The representations in support of the plans can be summarised as follows:

- This is an excellent facility that assists dog lovers in the local community.
- A variety of needs such as day care and training are provided.
- Invictus squad provides a friendly, professional and essential service which assists in the training of dogs.
- This is an appropriate use of the land.
- No noise issues are experienced.
- The majority of the dog barking is from unrelated members of the public, not associated with the facility.

The representations objecting of the plans can be summarised as follows:

- The car parking problems at the site
- Insufficient regard has been had to the management of inbound and outbound vehicles.
- The noise survey is based on a one day survey which is only relevant to that day.
- The report is inadequate and is not representative of the typical levels of noise that emanates from the site.
- The noise survey does not take into account the sporadic nature and unpredictability of barking occurrences.
- The business is disruptive to residents.
- Other people also use Pottery Field, these include natures walks, heritage viewing, dog walling, bird watching as well as general recreation.
- The site is too close to residential properties.
- Potential dangers to small children walking past.
- Concern about insufficient consultation with the most affected neighbours.

The majority of the representations are in support of the scheme and a number are from customers using the facility, though some local residents on Woodman Drive have also expressed support.

The objections received (approximately 9 in total) have generally been received from local residents to the north and east of the site.

Following the revised and clarified site area, published on 24th September 2025, neighbouring properties were re-notified and given a further 14 days formal consultation. This resulted in two further comments (one in support and one objection) which can be summarised as follows:

- The proposed number of 30 dogs is excessive relative to the site area and within the Green Belt.
- This is a good idea and will provide a beneficial service to dog walkers in Swinton.

Consultations

RMBC Transportation Infrastructure Service – no objections, subject to conditions

Environmental Health – no objections to subject to conditions with a maximum of 30 dogs

Historic England – no objections to the use subject to conditions

Drainage Officer – no objections

Appraisal

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of the application are:

- The principle of the development
- Noise and impact on the surroundings
- Transportation issues
- Design, layout and scale
- Heritage and other issues
- Landscape matters

The principle of the development

The application site is allocated for Green Belt in the Local Plan. The enlarged site area clarified in the latest plan for the overspill area is along the western boundary of the site.

Policy CS 4 'Green Belt' states Land within the Rotherham Green Belt will be protected from inappropriate development as set out in national planning policy. Burial grounds are one of the exceptions to Inappropriate Development, and this is discussed within the National Planning Policy Framework section below.

Policy CS 20 'Biodiversity and Geodiversity' states The Council will conserve and enhance Rotherham's natural environment.

SP2 'Development in the Green Belt' indicates that recreational development, amongst other things, are one of the exceptions to Inappropriate Development as long as it does not impact on the openness, and this is discussed within the National Planning Policy Framework.

Policy SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt' states that "Provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, will be acceptable as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it providing that: (amongst others) a. proposals will not give rise to undue disturbance caused by an increase in noise, the attraction of significant numbers of additional people into the area, or an increase beyond current levels of traffic at any one time.

The use of Green Belt land for dog training and dog walking is considered to form an outdoor recreation and is not considered to be inappropriate development as long as it does not materially harm the openness of the Green Belt. Paragraph 155 of the NPPF allows for a change of use of land within the Green Belt providing its preserves the openness.

In terms of the impact on the openness, in this instance the change of use does not propose any new buildings of a permanent or substantial construction. No fencing is proposed over and above the existing fencing, and no new areas of hardstanding. The dog walking and training takes place within existing fields and woodland which forms part of the land around the existing dwelling. There is a proposal to create a new area of car parking to the front of the building and adjacent to Blackamoor Road. However, this area is not to be formally surfaced or laid out as a car park and will be used as overspill area, accessed from an existing vehicular access and will include no additional substantial boundary treatment is proposed. The land which is to be used as overflow car parking is sited to the front of the existing dwelling and is behind existing boundary treatment fronting Blackamoor Road. Given the screening of the site, lack of hardsurfacing and low scale use, it is not considered that this element would result in a detrimental impact on the openness of the Green Belt.

The overspill area which has been formally included within the site area in the September 2025 revision, is located along the western boundary can be viewed from Blackamoor Road to the south. This is considered to have similar characteristics to the main site area in the central area of the site. This inclusion of this area is not considered to have a detrimental impact on the openness of the Green Belt.

Having considered all of the above, there will be no significant impact upon the openness of the Green Belt. As such the proposal represents not inappropriate development and the principle of having this form of development within the Green Belt is acceptable in land use and policy terms.

Noise and impact on the surroundings including Residential Amenity

SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt' states that:

a. proposals will not give rise to undue disturbance caused by an increase in noise, the attraction of significant numbers of additional people into the area, or an increase beyond current levels of traffic at any one time...

SP52 'Pollution Control' indicates that development proposals that are likely to cause pollution, or be exposed to pollution, will only be permitted where it can be demonstrated that mitigation measures will minimise potential impacts to levels that protect health, environmental quality and amenity. When determining planning applications, particular consideration will be given to the detrimental impact on the amenity of the local area.

The NPPG in relation to noise states that: "*Noise needs to be considered when new developments may create additional noise*" It adds that: "*The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation. These factors include: - the source and absolute level of the noise together with the time of day it occurs. Some types and level of noise will cause a greater adverse effect at night than if they occurred during the day – this is because people tend to be more sensitive to noise at night as they are trying to sleep. The adverse effect can also be greater simply because there is less background noise at night; - for non-continuous sources of noise, the number of noise events, and the frequency and pattern of occurrence of the noise; - the spectral content of the noise (ie whether or not the noise contains particular high or low frequency content) and the general character of the noise (ie whether or not the noise contains particular tonal characteristics or other particular features). The local topology and topography should also be taken into account along with the existing and, where appropriate, the planned character of the area.*"

A number of the objections have raised concerns about noise emanating from barking dogs at the site, and the difficulties in satisfactorily being able to regulate or control this. The objections have also queried the accuracy of any noise report.

Environmental Health have assessed the noise impact assessment carried out by Environmental Noise Solutions Ltd (ENS) (ref: NIA-10866-23-11023-v1 Invictus Squad, Swinton).

They note that the noise assessment "...takes into consideration the use of both Paddock 1 and 2 with the maximum number of dogs and times it will be used for.

The report indicates that dog barking has been measured as an average of a specified period of time (L_{Aeq}) but it can be seen on page 9 that a single dog barking event is 73dB at 10m. Taking into consideration distance attenuation

of an additional 40m to the nearest noise sensitive receptor this equates to 59dB which will be audible over the measured background 46dB LA90,1hr. It is noted that background noise levels have not been taken for the evening and weekend periods when levels are likely to be lower and barking is likely to be more distinguishable.

As with any intermittent noise source above background, this has the potential to cause disturbance if it occurs frequently as it can be highly distinguishable. LAeq levels can easily be “smoothed” out over longer duration measurements so it is therefore important to manage the noise from the site to keep the barking to a minimum. It is acknowledged that most of the high- level barking that occurred during the 12-minute period in figure 1.3 emanated from the public dog walking area. However, it can reasonably be assumed, that given the proposed use of the site (as a dog training facility) that dogs will bark from time to time. If the dogs are not adequately controlled when visiting the applicant's site this could result in complaints due to the single dog barking events which will significantly exceed the background noise level (when not averaged out as an LAeq).

The applicant has indicated how they intend to reduce the dog barking from the site. This proposal needs to be incorporated into a noise management plan that can be approved via a planning condition so as to ensure all necessary measures are put in place to reduce noise as far as reasonably practicable.”

The area of the site to be used for dog training is mainly the southern area of the site to the front of Strawberry Cottage, closest to Blackamoor Road and this area of the site is the furthest away from any neighbouring residents. The majority of the nearest residential properties are in excess of 100m to the training and recreation area. The supporting documents indicate “...*The number of dogs will also be limited and kept under supervision at all times. As such different dogs will not interact, reducing barking etc...*”.

The amended plan including the overspill area along the western boundary of the site is located further away from the nearest residential properties within the main urban area of Swinton to the north east the site. This inclusion, which will be used on a more limited basis is therefore not considered to generate any further noise issues to existing residential areas than the main body of the site area.

It is considered necessary to limit the maximum number of dogs across the site, and in particular in the areas in the north eastern part of the site (referred to as “paddock A”), which is the most sensitive being the closest to residential properties. The condition indicates that there should be a maximum of 30 no. dogs at any one time and 15no. dogs (group sessions at Paddock A). It is also noted that the maximum number of dogs on the site is not a regular occurrence and is generally around once per quarter.

Overall Environmental Health have raised no objections to the application from a noise or general pedestrian safety perspective. It is acknowledged that

the hours of operation are limited to 09:00hrs until 17:00hrs during British Wintertime and from 09:00hrs until 20:00hrs during British Summertime. This is considered to be acceptable given the distances to existing residential properties and subject to the use being carried out in accordance with an approved noise management plan. These hours are considered to be an acceptable compromise which would allow for the full use of the daylight hours available, whilst not considered to be into the more sensitive later evening periods. In addition to the condition restricting the hours of use of the site, it is also considered necessary to prevent any illumination of the site, which could be significantly more disruptive to the surroundings.

Overall, and when taking into account noise levels it is acknowledged that the barking of dogs is an intermittent noise which is not necessarily be easy to measure within a standard noise survey. In addition, there will be instances of dog barking from unrelated members of the public. However, when taking into account average noise levels along with restrictive conditions, overall noise levels are not considered to be of an excessively high level.

Environmental Health Officers have concluded that from a noise and amenity perspective, subject to conditions, the use can operate without a detrimental impact on the nearest residential properties.

This element of the application is considered to be in conformity with policies SP10 'Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt' and SP52 'Pollution Control'.

Transportation issues

A number of the objections highlight existing problems occurring at the site. These include concerns that insufficient regard has been had to the management of inbound and outbound vehicles, particularly when numerous people are either entering or leaving the site at the same time.

The highway element of the proposals has been subject to several alterations and clarifications to the layout.

No highway safety concerns have been identified by the Transportation Unit. They note that the applicant's agent has submitted a revised car park layout that provides 2no car parks, both taken from the same vehicle access on Blackamoor Road. The Transportation Unit are satisfied that the visibility splay at this existing vehicle access is acceptable.

With regard to the two car parks that are proposed, the Highway Officer notes that the car park adjacent to the 'main' dwelling can accommodate 16no spaces, and the 'new' car park will accommodate 13no car park spaces, giving a total of 29no car park spaces. The proposal is below the maximum permitted.

With regard to the operation of the business, the Transportation Unit note that there are 2no paddocks that could be used, and clients will not be able to 'turn

up' speculatively. I also note that there is a 15-minute window between bookings which will be conditioned.

Overall the Transportation Unit have confirmed that they have no objection to the granting of planning permission in a highway context subject to conditions.

Design, layout and scale

Policy CS28 'Sustainable Design' states, in part, that: "*Proposals for development should respect and enhance the distinctive features of Rotherham. They should develop a strong sense of place with a high quality of public realm and well-designed buildings within a clear framework of routes and spaces. Development proposals should be responsive to their context and be visually attractive as a result of good architecture and appropriate landscaping..... Design should take all opportunities to improve the character and quality of an area and the way it functions.*" This seeks to ensure that all developments make a positive contribution to the environment by achieving an appropriate standard of design.

Policy SP55 'Design Principles', states, in part, that: "*All forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions. This policy applies to all development proposals including alterations and extensions to existing buildings*".

The NPPF at paragraph 131 states, in part, that: "*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*" Paragraph 130 adds, in part, that: "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.*"

In this instance the specific design issues are not considered relevant as no further built development, or permanent structures are being proposed in this application. Previously fencing has been erected up to an approximate height of 1.8m though this would in its own right constitute permitted development.

The site is relatively well screened to surrounding land areas, and no additional screening is proposed to the boundaries of the site over and above that already installed. The fencing already erected to surround the paddocks is a weldmesh design which is see-through from a distance and is green in colour. Both of these features are considered to assist in reducing the potential detrimental impact on openness of the Green Belt.

From a design perspective the proposal is considered to be acceptable and in conformity with policies SP2 'Green Belt' and SP55 'Design Principles' along with the general design advice within the NPPF.

Heritage and other issues

SP42 'Archaeology and Scheduled Ancient Monuments' indicates "*Development proposals that may impact upon archaeology, whether designated as a Scheduled Ancient Monument or undesignated, will be considered against the following principles:*

a. development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted;

b. the preservation of other archaeological sites will be an important consideration. When development affecting such sites is acceptable in principle, the Council will seek preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for archaeological recording to ensure an understanding of the remains is gained before they are lost or damaged..."

SP43 'Conserving and Recording the Historic Environment' indicates that all proposals affecting a heritage asset will require careful assessment as to the impact and appropriateness of development to ensure that the historic, architectural, natural history, or landscape value of the asset and / or its setting are safeguarded and conserved, and any conflict avoided or minimised...*Development proposals that affect known or potential heritage assets will need to provide supporting information in sufficient detail that the impact of the proposed scheme on those heritage assets...*

Rockingham Kiln which lies outside of the site area, but directly to the north west of the site is both an Ancient Monument (since 2001) and a grade 2* Listed Building (since 1953).

There are no proposal to alter the assets, nor carry out any development or excavation works adjacent to this heritage asset.

Historic England have reviewed the proposals and have no concerns regarding the proposed change of use of the land to dog walking paddocks and training. They did however, originally raise concerns regarding the creation of a new car parking area within the scheduled area (the overspill car park labelled no. 2). The applicant has confirmed that this element would be of a grasscrete or similar material which, it is not considered would require any significant below ground excavations or engineering and would be a permeable material. This is also considered to be the most appropriate form of development to minimise visual impact on the Green Belt as well as on the adjacent heritage asset. Subject to a condition confirming these details, along with a 'no dig' pre-commencement condition prior to agreement of Historic England this element is considered satisfactory.

Ecology and Biodiversity

SP33 'Conserving and Enhancing the Natural Environment' indicates that:

Development should conserve and enhance existing and create new features of biodiversity and geodiversity value. Where it is not possible to avoid negative impact on a feature of biodiversity or geodiversity value through use of an alternate site, development proposals will be expected to minimise impact through careful consideration of the design, layout, construction or operation of the development and by the incorporation of suitable mitigation measures....or provide an adequate level of compensation. The aim of mitigation and compensation should be to respond to impact or loss with something of greater value; the minimum requirement will be to maintain 'no net loss'.

In this case the application site is not required to deliver 10% biodiversity net gain as the application was submitted before April 2024.

The change of use does not involve in any loss of existing ecology, pruning of trees or loss of landscaping and is not considered to result in any ecological concerns. It is also noted that the access path does not enter the nearby Woodland Local Wildlife Site and that the number of dogs is to be restricted prevent damage to the paddock from overuse.

Other issues

Safety has been identified by several of the objectors with particular concern around the potential for children walking outside of the facility to be bitten by dogs. The applicant subsequently submitted a risk assessment and management plan which has been reviewed by the Health and Safety department within Environmental Health. Overall and the application is not considered to have a detrimental impact on safety of non-users of the site.

Conclusion

Overall the principle of a recreational use for dog training/walking in this Green Belt location is considered appropriate in land use terms.

Environmental Health conclude that subject to conditions restricting numbers of dogs and hours of use, the site can operate without a detrimental impact on the nearest residential properties.

The Transportation Unit have accepted the amended plans and consider that there is sufficient onsite overspill parking to accommodate all potential staff and customers. The finished parking materials proposed do not involve any tarmac or gravelled surfacing are considered to be appropriate in a green belt location.

The use or car parking are not considered to generate any detrimental impact on heritage assets, subject to a final condition on materials.

Conditions

The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 03 of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

- i. In the interests of the expedient determination of the application it was considered to be appropriate to reserve certain matters of detail for approval by planning condition rather than unnecessarily extending the application determination process to allow these matters of detail to be addressed pre-determination.
- ii. The details required under condition numbers 03 are fundamental to the acceptability of the development and the nature of the further information required to satisfy these conditions is such that it would be inappropriate to allow the development to proceed until the necessary approvals have been secured.

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

(Drawing numbers amended location plan, amended site plan, Dog Walking paddock, parking areas finalised (1) and (2), detailed overspill parking area 2)(received 01 March 2023, 31 May 2024, 12 June 2024, 24 September 2025).

Reason

To define the permission and for the avoidance of doubt.

Car parking surfacing materials

03

No development of the overspill parking area (car park 2), including any ground excavations, shall take place until a written scheme of development has been agreed in writing with Historic England detailing all excavation methods required along with agreed final surfacing materials. The development shall then be completed in accordance with the approved details and methods.

Reason

To minimise any future impact of the overspill parking area on any archaeological remains, the visual appearance on the nearby heritage assets and to protect the openness and character of the Green Belt in accordance with Local Plan Policies SP2 'Development in the Green Belt' and SP42 'Archaeology and Scheduled Ancient Monuments'.

04

The car parking area for car park 2 shall not be hard surfaced and full details of the proposed materials to be used in its surface construction and any knee rail boundary demarcation shall be submitted to and approved in writing by the Local Planning Authority prior to its use.

Reason:

In the interest of the visual amenity of the locality and to protect the openness and character of the Green Belt in accordance with Local Plan Policies SP2 'Development in the Green Belt'

05

Within 3 months of the date of this permission, the car parking area shown on the submitted plan (ref parking areas finalised (1) and (2), detailed overspill parking area 2) shall be provided, marked out (car park one) and thereafter maintained for car parking.

Reason

To ensure the provision of satisfactory garage/parking space and avoid the necessity for the parking of vehicles on the highway in the interests of road safety.

06

The site shall not be used for dog exercise and training other than between the hours 09:00hrs until 17:00hrs during British Wintertime and from 09:00hrs until 20:00hrs during British Summertime.

Reason

In the interest of neighbouring amenity.

Maximum number of dogs

07

The approved dog training and exercise ground hereby approved shall be operated with a maximum of 15 No. dogs within either Paddock at any one time. The overall application site shall be used by no more than 30 No. dogs at any one time. All use of the paddocks shall be through a pre-booked/ pre-arranged slot(s) with no speculative use by the public.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 and 15 of the NPPF.

Management Plan

08

All operations on site shall be carried out in accordance with the Risk Assessment & Management Plan (ref March 2024 and updated site plan September 2025). This document shall be complied with in full throughout the lifetime of the consent and shall be regularly reviewed and if necessary updated (with the written approval of the Local Planning Authority) to ensure it remains relevant and current. Where the Local Authority receives a complaint in relation to noise, then all documentation as required by the Risk Assessment & Management Plan shall be made available to authorised officers of the Authority for review.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 and 15 of the NPPF.

09

There shall be no external illumination of the site or any lighting columns installed.

Reason

To safeguard the amenities of the occupiers of nearby properties in accordance with RMBC Policy SP52 and parts 12 and 15 of the NPPF.

Informatics

The applicant is reminded that the proposed overspill car parking area no. 2 will also require scheduled monument consent along with this planning approval. The applicant is recommended to contact Historic England to apply for this through Yorkshire ePlanning e-yorks@HistoricEngland.org.uk; andrew.burn@historicengland.org.uk

The applicant is advised that car park two should be surfaced with a permeable and sensitive surface and shall not be hard surfaced. Full details of the proposed material must be submitted as required by condition 4.

POSITIVE AND PROACTIVE STATEMENT

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.