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## **PLANNING STATEMENT**

**IN RESPECT OF A FULL PLANNING  
APPLICATION FOR THE CHANGE OF USE OF  
AGRICULTURAL LAND TO A DOG WALKING  
AREA, THE ERECTION OF BUILDING TO  
ACCOMMODATE A DOG GROOMING/ REST AREA  
AND THE ERECTION OF A FIELD SHELTER ON  
LAND AT CUNLIFFE MOSS FARM, SACCARY  
LANE, MELLOR, BB1 9DL.**

**Prepared by: Mrs Fiona Patterson BSc Hons MRICS FAAV**  
**Our Client: Mr M Ainsworth**  
**Our Ref: Ain/798/3080/FP**  
**Date: November 2021**



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents  
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## **1. INTRODUCTION AND BACKGROUND INFORMATION**

- 1.1 Gary Hoerty Associates has been instructed by Mr Mark Ainsworth to submit a full planning application on his behalf for the change of use of part of an agricultural field to a dog exercising area, the erection of a building to provide an indoor exercise area, a space for dog grooming and kennels and the erection of a field shelter on land at Cunliffe Moss Farm, Saccary Lane, Mellor.
- 1.2 There has recently been an increase in dog ownership and we consider the applicants proposal to start a new business offering a service to local dog owners will be a successful one with demand high for their service. The Financial Times quotes on 22 May 2020: “With millions of people now working from home or on extended furlough from their careers, many families are reviving long-held dreams to have a pet to keep them company on socially distanced walks. “There is unprecedented demand,” said Bill Lambert, head of health and welfare at the Kennel Club, which operates the national register of pedigree dogs. “The Kennel Club group says it has seen a 180% rise on last year in enquiries from people wanting to buy dogs.”
- 1.3 The increase in the amount of dogs and the majority of the public returning to work has meant that unfortunately dogs are having to stay at home on their own for longer periods of time. The proposed development will allow dogs to get out of the house for a few hours in the day to exercise and socialise with other dogs.
- 1.4 The applicants operate an active farm that includes breeding sheep and suckler cattle. Our clients are now looking for alternative income streams due to the Government reducing the amount of subsidy payments over the next 5 years or so. By 2027, the Basic Payment Scheme payment will be zero and the replacement scheme has not been finalised therefore scheme requirements and financial reward are very much uncertain. The applicants require an additional source of income in order for their farming business to continue operating.
- 1.5 In this Planning Statement we will explain the planning history of the application site, we will describe the proposed development and will review the relevant policies and guidance and set out why we believe that the application conforms to national planning guidance and local planning policies and why the application should therefore be looked upon favourably.

## **2. PLANNING HISTORY**

- 2.1 There are three existing dwellings at Cunliffe Moss Farm including Cunliffe Moss Farmhouse at the western end of the group and Willow Croft at the eastern end. A planning application search on the Council's website has revealed the following applications relating to the farm:

1989/0845 – Proposed first floor bedrooms at Willow Croft – Approved with no conditions.

1999/0542 – Proposed two storey rear extension at Cunliffe Moss Farmhouse – Approved with conditions.

2005/0880 – Proposed conservatory at rear of Cunliffe Moss Farmhouse – Refused.

2009/0714 – Proposed demolition of attached store at Cunliffe Moss Farmhouse and replacement to form additional living and bedroom accommodation – Approved with conditions.

2010/0753 – Proposed demolition and replacement of existing Cunliffe Moss Farmhouse – Approved with conditions.

2011/0510 – Proposed demolition and replacement of existing Cunliffe Moss Farmhouse (revised submission of approved application 2010/0753) – Approved with conditions.

3/2017/0700 – Proposed full and partial demolition of agricultural buildings and erection of three detached, two-storey holiday cottages. Approved

3/2017/1141 - Discharge of condition 12 (bird and bat boxes) from planning permission 3/2017/0700. Approved.

3/2019/0493 – Proposed extension to existing structure and roofing over existing muck heap and farm yard concreting works. Approved.

- 2.2 Although some of the above are for a different type of development to what is being proposed in this current proposal, the planning permissions referred to above are evidence that the Council has authorised new rural development at Cunliffe Moss Farm.

### **3. THE PROPOSED DEVELOPMENT**

- 3.1 The proposed development comprises the change of use of agricultural land to use as a dog walking/ exercise field, the erection of a field shelter and the erection of a building to provide space for an indoor exercise area, dog grooming and rest area for the dogs. Each of the proposals are set out in detail below.
- 3.2 The proposal will involve the applicants collecting each dog from their house in the morning, bringing the dog back, walking/ exercising the dog, washing or grooming the dog post exercise (dependent on customers' requirements), letting the dog rest and then returning the dog home.
- 3.3 Our clients business model has been specifically chosen to restrict traffic movement to and from the application site. Traffic movement at Cunliffe Moss Farm associated with the proposed development will be one vehicle entering and exiting the site in the morning and then one vehicle exiting and entering the site in the afternoon. The applicants will only be picking up dogs from the local area.

#### **Change of Use of Land**

- 3.4 The proposed development involves the change of use of 0.19 hectares (0.47 acres) of agricultural land which is located to the South of the farmstead at Cunliffe Moss Farm for use as a dog walking/ exercise field, complimenting the agricultural use of cropping from the land for hay or haylage. The site plan sets out the location of the proposed area subject to the change of use.
- 3.5 The land will be securely enclosed with a 1.8m high post and wire fence, which could lawfully be erected under permitted development. The fence will enable the applicants to exercise dogs off the lead without the worry of them running away. Dogs that will particularly benefit from having an enclosed area to exercise in are those that are nervous / antisocial, have poor recall, a disability or may be an area for initial puppy training away from other dogs.

#### **Field Shelter**

- 3.6 The proposed development also includes the erection of a small wooden field shelter to the south of the dog walking/ exercise field. The shelter will measure 6m (20') x 2.4m (8') with a height of 2.5m, it will be clad externally with timber walls. The building will be located immediately to the north of the riding arena and will not be seen in isolation. The appearance of the proposed field shelter will be similar to the group of buildings to the south of the riding arena.
- 3.7 The shelter will be used for the dogs to shelter in if there are extreme weather conditions for example if the weather is too hot, cold, rain etc. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. *Guidance notes for conditions for providing day care for dogs.* This document

covers guidance that needs to be adhered to when caring for dogs and one of the criteria is that *“A dog must be able to remove itself from a direct source of heat”*.

### **New building**

- 3.8 The proposed development also includes the erection of a new building to the west of the existing group of agricultural buildings. The building will measure 10m x 11.2m with an eaves height of 3.6m, it will be clad externally with concrete panels and Yorkshire boarding above with grey fibre cement roof sheets. There will be one roller shutter door on the easterly facing elevation and a personal door on the northerly facing elevation.
- 3.9 The building will be located immediately to the west of the existing buildings at Cunliffe Moss Farm and therefore will be seen entirely as part of an existing group of buildings and will not be seen in isolation. The appearance of the proposed field shelter will be very similar to the group of buildings to the east of the proposed location of this building.
- 3.10 The proposed building will be used as an indoor play area for the dogs, a grooming area and space for kennels. The proposed floor layout plan has been submitted as part of this application. Due to the extreme weather conditions that we are seeing more of, an indoor area for the dogs to exercise and socialise is essential.
- 3.11 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 states that each dog must have a minimum of 6 square metres to exercise in and there will be up to 8 dogs allowed at any one time in the indoor play area therefore we have allowed 50 square metres of indoor exercise space. This is unique service that the applicants will be offering to local residents if the proposed development is allowed and we consider will have huge demand therefore creating a new successful rural business that will compliment an existing agricultural business that needs to diversify in order to continue operating.

### **Car Park**

- 3.12 There is only a requirement for one car parking space as the applicants will use their van to pick up and drop off the dogs. The car parking space is shown on the proposed site plan submitted with this application.

#### **4. THE APPLICATION SITE AND SURROUNDINGS**

- 4.1 The application site comprises part of an agricultural field, a hard standing area and an outdoor horse turnout area. The site is located at the end of the private road leading to Cunliffe Moss Farm off Saccary Lane. The application site is located 1.5 miles from the village of Mellor and 2.5 miles from the town of Blackburn.
- 4.2 With regards to the wider area, the application site is surrounded on all sides by agricultural fields within which there are scattered dwellings and farmsteads.
- 4.3 With regards to the applicable planning policies, the site is within the open countryside but is not within either the Area of Outstanding Natural Beauty or the Green Belt.

#### **5. PLANNING POLICY CONSIDERATIONS**

- 5.1. Local Planning Authorities are required to determine planning applications in accordance with the Statutory Development Plan unless material considerations indicate otherwise. If it is to be approved, a development must satisfy as far as possible guidance contained within the National Planning Policy Framework (NPPF 2021) and the relevant policies of the Council's Adopted Core Strategy.
- 5.2 We set out below extracts from the relevant documents to facilitate the assessment of the application proposal against the principal appropriate policies and guidance.

##### **National Planning Policy Framework (NPPF 2021)**

- 5.3 The NPPF 2021 is the main national planning policy guidance influencing planning decision making in England. It states that the main purpose of the planning system in the country is the achievement of sustainable development; and that, for decision taking this means that proposals that accord with an up to date development plan should be approved without delay.
- 5.4 Section 6 of NPPF relates to "Building a strong, competitive economy" and paragraphs 84 and 85 are particularly relevant to this application as they relate to "Supporting a prosperous rural economy"
- 5.5 Paragraph 84 states:

*Planning policies and decisions should enable:*

- 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; and*
- d) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

5.6 The approval of this application will support the establishment of a small scale new rural business together with the diversification of an agricultural business. As discussed above, the application is looking for ways to achieve alternative sources of income from the farm so that they can remain farming in a profitable way and the approval of this application will assist with that.

5.7 Paragraph 85 states:

*“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. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”*

5.8 The approval of this application will support the development of a sustainable rural business which will provide a service to the local community. The NPPF clearly supports sustainable rural development provided that it respects the character of the countryside, which this development does.

#### **Council’s Core Strategy 2008/2028 – A Local Plan for Ribble Valley Adoption Version**

5.9 We comment below on the Key Statements and Policies within the Adopted Core Strategy that we consider to be relevant to the determination of this application.

#### **Key Statement DS2: Presumption in favour of Sustainable Development.**

5.10 Key Statement DS2 identifies that the Council, when considering development proposals, should take a positive approach that reflects the presumption in favour of sustainable development contained in NPPF. The policy states that where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether any



adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in NPPF taken as a whole; or specific policies in that framework indicate that development should be restricted. The proposed development will enable the applicants to offer a sustainable service to the local community. The applicants will only offer their services to dog owners locally.

#### **Key Statement EC1: Business and Employment Development**

- 5.11 Key statement EC1 states “*developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle*”. As discussed above, the applicants are actively running a working farm and are “hands on” farmers therefore the proposed development is most definitely a farm diversification.

#### **Policy DMG1: General Considerations**

- 5.12 This is a general development management policy which states that, in determining planning applications, all development must satisfy a total of 20 criteria relating to the matters of design, access, amenity, environment and infrastructure. We consider only the following criteria to be of relevance to the consideration of this application:

- The development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- The development must consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
- The development must consider the potential traffic and car parking implications.
- The development must ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- The development must not adversely affect the amenities of the surrounding area.

- 5.13 We consider the proposed development to be sympathetic to the existing landscape with regards to the design of the proposed buildings and the use of the land. With regards to the matter of intensity/density/layout we consider that the development is small in scale with the proposal including two small buildings that

have a similar appearance to that of the existing building at Cunliffe Moss House and surrounding farms in local rural area. The area of land that we propose to change the use of extends to 0.47 acres and the applicants propose to exercise a maximum of eight dogs at any one time therefore representing a very low intensity and density of development. The proposed buildings are located very close to existing group of buildings and as a result the proposal will not impact negatively on the landscape character of the area. With regards to existing amenities, we do not believe there will be any residential properties that will be affected to any significant degree by the proposal as the closest dwelling not associated with this approximately will be approximately 100m away.

- 5.14 With regard to highways, our client has specifically chosen to collect each dog from their home and bring back to the application site in their van to ensure the proposed development does not have a negative impact on the local highway network surrounding Cunliffe Moss Farm. There will only be one vehicle exiting and entering the site in the morning when the applicant is picking up the dogs and one vehicle exiting and entering the site in the afternoon when the applicants are taking the dogs home. Due to the small scale of the development proposed, the impact on the local highways will be negligible.
- 5.15 With regards to parking provision, a parking area for one car will be provided next to the proposed building and this has been illustrated on the proposed site plan submitted with the application,
- 5.16 Overall, in our opinion, the development undoubtedly complies with the relevant requirements of Policy DMG1.

#### **Policy DMG 2: Strategic Considerations**

- 5.17 Policy DMG2 requires development to be in accordance with the Core Strategy Development Strategy and to support spatial vision and identifies certain forms of development that are acceptable outside of the settlement areas, three of which are that the development
  - (1) should be essential to the local economy or social well-being of the area;
  - (2) should be for small scale tourism or recreational developments appropriate to a rural area; and
  - (3) should be for a small scale use appropriate to a local area where a local need or benefit can be demonstrated.
- 5.18 As a proposal for a development of only two relatively small buildings to support a rural business, the development is very small in scale and there is no requirement under the Council's policies for the applicant to show a need/demand for the proposed business. However, as evidenced by the popularity and success of similar uses in the locality, we do consider there to be a demand for this type of

service from the local public who have either recently bought dogs and have returned to work or long term dog owners who just want their dogs to socialise and exercise in a rural environment where the applicants are going to provide a niche service where the dogs are going to be well looked after.

- 5.19 The Policy also states that ‘within the Open Countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting.’ For reasons already given in this Statement, we consider that the proposal satisfies those requirements of Policy DMG2.

#### **Policy DMB 1: Supporting Business Growth and the Local Economy**

- 5.20 Policy DMB1 indicates that the Council will support proposals that are intended to support business growth in the local economy provided such proposals are in conformity with other relevant policies of the local plan. The proposed development is in full conformity with all the relevant policies and policy DMB1 clearly supports the proposed development.

### **6. SUMMARY AND CONCLUSIONS**

- 6.1 The proposal relates to the change of use of part of an agricultural field to a dog exercising area, the erection of a building to provide an indoor exercise area, a space for dog grooming and kennels and the erection of a field shelter on land at Cunliffe Moss Farm, Saccary Lane, Mellor.
- 6.2 The NPPF and adopted Core Strategy are both supportive of new rural businesses and farm diversification in the Borough. We believe that the proposed service that the applicants are wanting to offer will be popular with the local public due to their easily accessible location and proximity to dense populations of the Ribble Valley and surrounding areas.
- 6.3 Within this Planning Statement we have provided a reasoned justification explaining how the proposed development conforms to the adopted Core Strategy and the NPPF.

**Fiona Patterson BSc Hons MRICS FAAV**  
**For and on behalf of Gary Hoerty Associates**