

Supporting Planning Statement

Application to Change the Use of part of an Agricultural Field
into two Dog Exercise Areas

At

Land at North End Lane, Halewood, Liverpool, L26 5QB

On behalf of

Ms A Mckenna

Prepared by:

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1.0 INTRODUCTION

- 1.1 This supporting statement has been prepared on behalf of Ms A McKenna by Fisher German LLP and submitted in support of an application to change the use of part of an agricultural field into two dog exercise areas at Land at North End Lane, Halewood.
- 1.2 This statement should be read in conjunction with other supporting information supplied as part of the planning application including:
- Application forms;
 - Location Plan;
 - Existing Plans;
 - Proposed Plans;
 - Management Plan;
 - Communications.
- 1.3 The following sections of the statement provide a description of the site and context of the surrounding area, details of the proposal, alongside an overview and assessment of the planning policy context relevant to the proposed development.
- 1.4 This statement demonstrates that the proposal fully complies with all relevant local and national planning policy.

2.0 SITE AND SURROUNDING AREA

- 2.1 The site is located on land off North End Lane a minor lane, accessed off Gerrards Lane on the outskirts of Halewood, within the administrative boundary of Knowsley Metropolitan Borough Council.

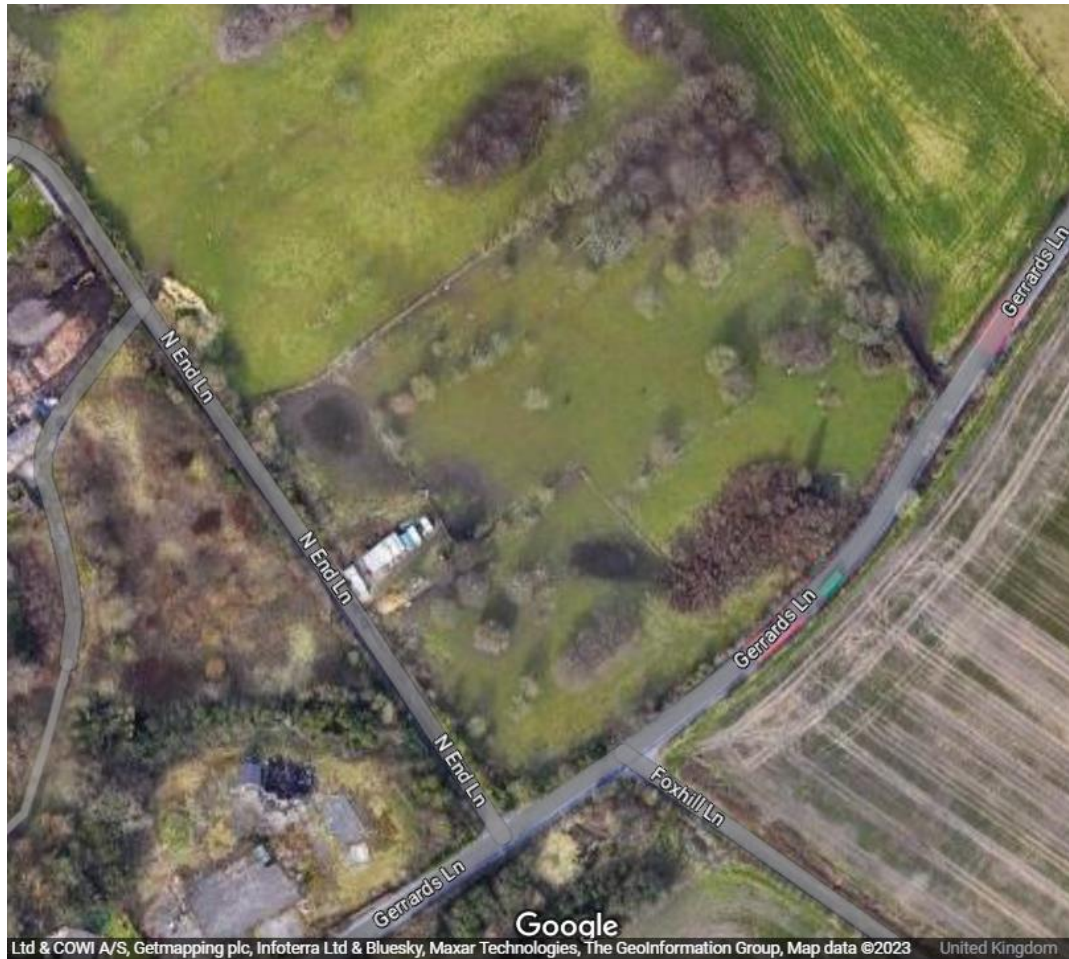


Figure 1. Aerial view of site off North End Lane (Google Earth).

- 2.2 Figure 1 is slightly outdated, in the way part of this field is already an existing **permitted** dog exercise area (Planning ref: 23/02640/FUL) known as the Adventure Zone.
- 2.3 The site benefits from an existing access off North End Lane, one which is permitted to be used for the purposes of dog exercise area. The existing car park is permitted, therefore no car parks (hardstanding areas) are sought as part of the permission.

- 2.4 The site is located in a countryside location, adjacent to the residential area of Halewood. The site is located in Knowsley's Green Belt.
- 2.5 The site itself is not constrained by any heritage designations on site. The nearest heritage asset is located quite a distance away.
- Foxhill House- Grade II Listed
- 2.6 The land is not within any Flood Risk Zone or any ecological designated area.
- 2.7 Relevant Planning History:
- 23/02640/FUL- Change of use of part agricultural land to a dog exercise area- Approved 29th January 2024.

3.0 PROPOSED DEVELOPMENT

- 3.1 The proposal is seeking the change of use of part of an agricultural field into two dog exercise areas at Land at North End Lane.

Proposal

- 3.2 The proposal seeks to change the use, of approximately under 2 acres, the area is fully stock-proof fenced, acting as a secure boundary treatment. The fields have opened under the 28 day permitted development rights, and this application seeks to formally regularise the field and seek permanent permission.
- 3.3 The **principle** of this type of facility has been accepted here at North End Lane, under application 23/02640/FUL.
- 3.4 The existing car parking area has approved full planning permission under permission 23/02640/FUL, therefore no further hardstanding is sought as part of this application. The car park is large enough to be utilised for all there fields at Zoomies Liverpool.
- 3.5 This existing car park is a huge advantage for the facility, and one which provides benefits to having further fields in one location, a business which provides a dedicated facility for dogs within south Liverpool. In addition, it is considered best practice within the Green Belt to have

this in one location which is concealed by established boundaries than having them scattered elsewhere within Green Belt across the borough.

- 3.6 The livestock fencing and gates have all been erected on the field under Permitted Development Rights and remain 6ft and under. Therefore, are not seeking permission as these are lawful structures.
- 3.7 Items/ obstacles shall be placed on the exercise area, these will not be of permanent nature and shall be movable structures. These are paraphernalia and cannot constitute development and therefore fall outside of planning control.
- 3.8 There are no proposed buildings on site, and the field visually appears no different to an agricultural field (mainly due to the fencing and the field remaining grassed as if livestock were in this), therefore minimal impact is to be had on the wider landscape and Green Belt location. The proposed site plan (drawing no: PP01) demonstrates how simplistic the fields are and how all existing trees within the field are remaining.
- 3.9 The proposal seeks one larger field, and one smaller, known as Action Zone and Activity Zone) including a car vehicle pull in area for those with accessibility issues or reactive dogs which need to be kept away from others in the main car park.
- 3.10 The Activity Zone has been established for smaller dogs, in addition, the field has been designed with customers who may have mobility issues or require the use of a pram or wheelchair within the field. The small pathway has been installed to allow customers to access into the middle of the field who may be uneasy on foot or are using any mobility aids, where a bench has also been placed to assist those who require to be seated whilst allowing their dogs to exercise freely and securely.
- 3.11 This small pathway is only a minor element of operational development within the Green Belt, but **fully allows inclusivity** for customers and offers those with disabilities, mobility issues, and those with small children full access to use a dog exercise field in a safe manner for them. This is a real advantage to this dog field, and one which pathways such as this are not an offering in other dog exercise fields across the North West, making this bespoke to Knowsley Borough and will attract those users to this field location at North End Lane.

- 3.12 The fencing is fully stock-proof and therefore provides a secure exercise area where dogs can be 'let-loose' to run safely. The stock-proof fencing does not cause any harm to the openness of the Green Belt and is in operation within the next field which have been approved by Knowsley.
- 3.13 The land continues to provide a diversification business opportunity in a rural area, therefore also supporting an important rural economy. The field is located on Halewood's urban fringe, therefore its good to retain a rural economy when the wider Merseyside area is so heavily urban economy focussed. The business operation can take place whilst the land remains open without any building development within the countryside and Green Belt. The council have declared this use type is acceptable in this location, given the permission for the first dog field here earlier this year (January 2024).
- 3.14 The fencing is fully stockproof and is that exact of an agricultural nature, therefore blending into the landscape and not impacting negatively or causing any harm to the openness of the Green Belt, as already established.
- 3.15 There is need for a secure area like these to train young dogs, let dogs who are not well behaved to be loose without other dogs nearby, provide a safe area for owners to enjoy a safe space to play with their dogs, and also enables a space which can improve mental health, having a 'safe space' which is within the countryside and can be enjoyed without disturbances.
- 3.16 The need is evident, and clear for the applicant to invest in operating a two additional fields **due to the demand** of bookings for their first permitted field.
- 3.17 In addition to the local need, The National Sheep Association (NSA) conducted a survey earlier this year (2023), in the survey of more than 300 sheep farmers, 70% had experienced a sheep worrying attack in the past 12 months, with 95% of respondents experiencing up to 10 cases a year. On average 3 sheep deaths were reported each year due to a dog attack. This does **not** include the account production losses in sheep, including miscarriage, which were reported by more than 70% of respondents¹. This results in financial losses for the farmer and

¹ <https://www.nationalsheep.org.uk/for-the-public/culture/sheep-worrying/survey-results/>

increased mental health issues as a result. Therefore, a dog exercise area like this will be welcomed by all local farmers in the Stockport area.

- 3.18 Although this is the second and third dog field at Zoomies Liverpool, there is a clear separation between the fields. The volume of planting of new hedgerow between the fields ensures that dogs are not visible from one another in these fields, therefore this will not create any adverse noise within the area.
- 3.19 The field is well-screened from the main road as the boundary edges comprises of thick mature vegetation which also creates a natural visual screen as well as from any noise.
- 3.20 The dog area is located in close proximity to Halewood and that wider urban population of dog owners in Liverpool, who would benefit from further facility offering like this for both dogs and owners. As a result of this application, Zoomies Liverpool, will comprise of the approved Adventure Zone, proposed Action Zone and an Activity Zone.
- 3.21 The business has been operating in line with the permitted development rule. This legislation allows the change of use of land for 28 days. Therefore, this application is seeking to retain a successful diversification scheme which has multiple benefits for the field owners and the users of the field. This statement has outlined the further benefits these new fields provides, for not only dogs, but the customers using to aim for inclusivity.
- 3.22 The proposed opening times are to be (these have been chosen to be mindful of residential properties):
- Summer opening times- 6:30am-10pm (Monday- Sunday)
 - Winter opening times- 7am- 7pm (Monday-Sunday)
 - Spring and Autumn opening times- 6:30am- 8pm (Monday- Sunday)
- 3.23 The business seeks for the area to be hired for up to one hour or half an hour for a maximum of 8 dogs (within the Action Zone) and 5 dogs within the Activity Zone will be permitted in the secure area at any one time.
- 3.24 Small-scale solar lighting will be used within the site for those darker hours, therefore no floodlighting proposed which would be harmful to the Green Belt setting.

- 3.25 Bookings shall be made through the existing online booking system. The booking system enables identification of who should be on the field at any one time. If any issues were to arise it enables easy traceability for these to be resolved.
- 3.26 The areas are fully secure and 'dog-proofed.' There is an area to dispose of waste and to keep the area clean and tidy within each field. Please see attached Management Plan and Customer Communications for further details relating to the operation of the area.
- 3.27 The area is secure and provides dog owners with confidence their animal is safe, especially with dog thefts increasing. Similarly, providing areas such as this provides comfort to local farmers that potentially dangerous dogs are away from public footpaths which go through their land with livestock in, therefore reducing the potential chance of dog attacks on livestock.
- 3.28 By having an additional two fields allows the expenditure to be retained within Knowsley borough and South Liverpool, rather than driving outside the borough to further fields. The principle of having a choice of fields in one location (which has the car park permitted already) is **sustainable**.
- 3.29 The ethos of this proposed dog exercise area focusses on the positive exercising and training of dogs and creating a safe relaxing place for both dogs and humans to enjoy and unwind. Both fields speak for themselves in terms of how natural it is and how it has a parkland feel about it.
- 3.30 It should be noted that a dog field has opened directly next door to this site, but this has no planning permission. This was raised when seeking permission for the existing approved field 23/02640/FUL back in August 2023 and still the neighbouring field are able to trade without having sought any retrospective permission. The council has not sought any enforcement action in the nearly a year they were made aware of this.

Ecology

- 3.31 A buffer has been retained around the parameters of the field, one which is allowing a wildlife buffer/corridor to be created. Planting of long grass types and trees along boundaries in addition to the retention of any existing trees and hedgerow.

- 3.32 The existing hedgerows and trees are being retained on site to encourage biodiversity into the site and maintain a natural area which improves well-being for those customers. The field has **not** altered as a result of this being an area to exercise dogs, a boundary fence has been installed but the actual landscaping of the field is retained and has been enhanced.
- 3.33 Biodiversity Net Gain (BNG) has been considered and the report outlining the proposals is incoming shortly from the qualified ecologist appointed.

Access and Parking

- 3.34 Access shall be sought directly off the access point on North End Lane. This leads into the existing permitted car park for the dog exercise area. This hardstanding was permitted under approved planning application 23/02640/FUL, therefore the car park does not form part of this planning application as it is **approved**.
- 3.35 Therefore, no further hardstanding is required to be created by seeking permission for an additional two dog exercise areas.
- 3.36 Parking is limited to two cars per field, therefore the parking numbers on the existing approved car park is controlled.
- 3.37 Parking closer to the large field is proposed, where vehicles are allowed to drive closer to the entrance gate, again to aid with accessibility for all, and notwithstanding the type of dog which is attending the site. This area is shown on the proposed site plan (drawing no: PP01).

4.0 PLANNING POLICY

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations state otherwise.

- 4.2 The adopted Development Plan for the local area is the starting point for decision-making. At present the current adopted local policy for the area is Knowsley Local Plan: Core Strategy 2016-2018, which was adopted in 2016.
- 4.3 In January 2022, a review of the Core Strategy was completed due to it being 6 years old. However, the conclusion from this review was that there was no need to update the strategy and therefore there is currently no upcoming plan to change the policy documents.
- 4.4 A number of policies contained in the expired Knowsley Unitary Development Plan 2006 have been saved, these are also given consideration below.
- 4.5 The site is located within the designated Halewood Neighbourhood Plan boundary. Currently, there is no adopted Neighbourhood Plan for the area.

Knowsley Local Plan: Core Strategy

Policy CS5- Green Belt

- 4.6 Inappropriate development will not be permitted in the Green Belt with some exceptions made where it has been demonstrated no harm is caused to the Green Belt.

Policy CS4- Economy and Employment

- 4.7 The employment strategy supports new start-up businesses, appropriate development of tourism facilities and supporting the rural economy

CS19- Design Quality and Accessibility in New Development

- 4.8 The policy requires development to enhance local distinctives, identity and accessibility of places ensuring development proposals respond positively to the characteristics of immediate surroundings.

Knowsley Unitary Development Plan

Policy G1- Development within the Green Belt

- 4.9 Within Green Belt the council will not grant planning permission for development unless within the exception criteria. This includes the making of any material change in the use of land where the openness of the Green Belt.

Policy G2- Landscape Character and Amenities of The Green Belt

- 4.10 All new development within the Green Belt should protect the rural landscape and environmental quality of the countryside.

Policy G3: Agricultural Land

- 4.11 New development proposals, whilst not directly causing the loss of best and most versatile agricultural land, would effectively prevent the use of such land for the fragmentation of holdings. The policy detracts from using land which will prevent the future agricultural use.

Policy G4: Rural Diversification

- 4.12 Proposals for the diversification of rural enterprises will be permitted providing they would; preserve the openness and purposes of the Green belt; not harm the visual amenity or character of the area; and otherwise, be in accordance with the policies of the plan.

Policy ENV2: Noise and Vibration

- 4.13 Conditions may be attached to the planning permission to ensure effective noise mitigation measures are carried out.

National Planning Policy Framework (NPPF)

- 4.14 The revised National Planning Policy Framework was published in February 2024 and provides over-arching guidelines for the planning system.
- 4.15 Paragraph 154 states that exceptions within the Green Belt include provision of appropriate facilities for outdoor recreation as long as it preserves the openness of the Green Belt.
- 4.16 Paragraph 155 goes on to say other forms of development are not inappropriate in the Green belt including material changes in the use of land (such as for those of outdoor recreation) so long as they preserve the openness.
- 4.17 Paragraph 88 recognises that decisions should enable the sustainable growth and expansion of all types of business in rural areas.

5.0 ASSESSMENT AND CONCLUSION

- 5.1 The application seeks a change of use of part of an agricultural field to two dog exercise areas.

- 5.2 The principle of a dog exercise area within Green Belt in this location at North End Lane has already been accepted through the approval of 23/02640/FUL, this first field opened in 2023.
- 5.3 The creation of these second and third fields is due to the pure need for this type of facility in this location. The success of the first field in nearly a year has created the increased demand for additional facilities at Zoomies Liverpool. The fields are considered low impact and unintrusive on the countryside and Green Belt location (and has been agreed by Knowsley through the approval of 23/02640/FUL).
- 5.4 The fencing is fully-stock proof agricultural fencing previously erected under Permitted Development, therefore not impacting on the openness of Green Belt, the Open Countryside, or the landscape.
- 5.5 The car parking area is existing, and has permission under 23/02640/FUL, therefore the car park does not form part of this application.
- 5.6 The volume of dogs on the field can be controlled through the online booking system, similarly all rules set out online and which are displayed on the entrance gate shall be adhered to. Therefore, any issues will be easily identifiable to who was in the field at any time. Rules specifically to XL Bully and banned dog breeds are found on the website, including upload measures for documentation and certificates where required.
- 5.7 The two fields have been successfully operating under the Permitted Development rule, and therefore seeks formal planning consent to enable a successful business to continue lawfully.
- 5.8 The change of use has no implications on the Green Belt and countryside location, providing no permanent fixtures or development on the land (with the exception of the gravel path designed for people with any accessibility issues to be **inclusive** for all), and therefore no encroaching on the openness. The **principle** of this development and change of use has been established at North End Lane previously.
- 5.9 The statistics provided within this statement from a recent NSA survey speak for themselves, there is a real need for facilities like this to reduce these number of sheep attacks in fields. The facility will allow dogs to be exercised securely off a lead with no worry of any livestock. The

field is particularly useful for those dogs undergoing training or reactive dogs. The field offers piece of mind for the dog, dog owner and local farmers.

- 5.10 There is a proven need for a business like this in this location, especially to enable exercising and training of dogs to meet their individual needs. The area has a positive impact on the well-being and mental health of dog owners too, providing a countryside location and a safe place to exercise dogs.
- 5.11 If the business were to cease at any point, the fields would appear a field in the landscape whether it was used for exercising dogs or grazing livestock.
- 5.12 The change of use has no implications on the Green Belt and countryside location, providing no permanent fixtures or development on the land, and therefore no encroaching on the openness. The principle of this use within Green Belt in this exact location has been accepted this year.
- 5.13 Zoomies Liverpool is a unique facility, and one which is not mirrored to other dog exercise areas across the North West, having three different dog fields 'zones' allows them to be used for different purposes and for different types of customers, meeting the needs for all dogs and customers themselves.
- 5.14 Therefore, it makes economical and sustainable sense for the LPA to approve a use which is an acceptable recreational use within Green Belt policy on an **existing** dog exercise area facility.
- 5.15 It would be irresponsible for Knowsley not to approve this dog exercise area, they would be conflicting with themselves. They need to demonstrate a consistent approach, the land designation is no different, nor has planning policy changed since the permission of earlier this year.

Conclusion

- 5.16 The proposal complies with national and local policy planning policy and is considered development which is not inappropriate in the Green Belt.

5.17 Therefore, it is respectfully requested that full planning permission is to be granted.