

**PLANNING, DESIGN & ACCESS STATEMENT**  
**FOR THE PLANNING APPLICATION FOR THE CHANGE OF USE**  
**FROM EQUINE TO CANINE**  
**(DOG BREEDING)**  
**AND**  
**ERECTION OF ASSOCIATED BUILDINGS AND INSTALLATION**  
**OF A SEWAGE TREATMENT PLANT**

**AT**

**THE BOTHY**  
**NEACHLEY LANE**  
**NEACHLEY**  
**SHIFNAL**  
**TF11 8PH**



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**November 2022**

## DESIGN AND ACCESS STATEMENT

Project Reference Number:	101716/LOCK/001
Description of Project:	APPLICATION FOR THE CHANGE OF USE FROM EQUINE TO CANINE (DOG BREEDING)
Address:	THE BOTHY, NEACHLEY LANE, NEACHLEY SHIFNAL TF11 8PH
Recipients:	Mr Lock Shropshire Council
Issue Date:	November 2022
Revision:	A – Report No. 1

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## SECTION ONE – INTRODUCTION

- 1.1 This Statement has been produced by Philip Plant of Mid West Planning Ltd and is based on the guidelines as set out in the CABE publication: 'Design and Access Statements: How to write, read and use them' 2006, and the National Planning Policy Framework and relevant planning practice guidance.
- 1.2 Philip Plant holds a Bachelor of Science with Honours Degree in Rural Enterprise and Land Management and is a member of the Royal Institution of Chartered Surveyors.
- 1.3 Philip Plant is the Managing Director of Mid West Planning Limited and is a former Senior Consultant at ADAS and Acorus Rural Property Services. Phil Plant has been the Managing Director of Mid West Planning Ltd since 2010 and he provides rural planning advice to both applicants and to Local Planning Authorities.
- 1.4 This report and planning application have been prepared following the instruction of Nicholas Lock and Elaine Griffiths the proprietors of Bon Saviour Retrievers Dog Breeding Business at the application site 'The Bothy, Neachley Lane Shifnal TF11 8PH' as indicated Plate 1.



Plate 1 - Aerial Photograph Indicating the Site Location

## SECTION TWO – LOCATION AND USE OF SITE

- 2.1 The application site is located on the east side of Neachley Lane, Cosford and is situated 1.0km to the South West of Junction 3 of the M54. 1.2km to the West is the Ruckley Estate and beyond this a further 3km is the Market town of Shifnal. The application site is located within the in the Birmingham Green Belt. The Bothy is a residential small holding and is part of the 100-acre estate of Neach Hill House.



Figure 1 - Location Plan Extract

- 2.2 The proposal is the application for the change of use of land and existing building from Equine use to Canine use, with the erection of a number of timber stable style buildings and the installation of a sewage treatment plant.
- 2.3 The applicants operate a Dog Breeding Business from a number of buildings at the site.
- 2.4 The applicants are in the process of applying for a Dog Breeding Licence from Shropshire Council. It was during this process that Mr Lock was informed that he was required to apply for retrospective planning permission. Therefore, this application is retrospective and has been advised by Mick Laidlaw Planning Enforcement officer, Shropshire Council reference: 22/09119/ENF.

### SECTION THREE – AMOUNT AND SCALE

3.1 The dog breeding business operates from an existing steel portal frame building as well as further temporary stable style timber buildings at the site. In total there are eight buildings and associated dog exercise yards:

- Reception Building plan ref: '101716 - LOCK - EQUINE TO CANINE-Reception - PL09.pdf'
- Steel Portal Framed Building plan ref: '101716 - LOCK - EQUINE TO CANINE-Steel frame Shed - PL10.pdf'
- Beagles plan ref: '101716 - LOCK - EQUINE TO CANINE-Beagles - PL07'
- Puppy Welping Room – plan ref: '101716 - LOCK - EQUINE TO CANINE-PUPPY WELPING ROOM - PL03'
- Puppy Kennel – plan ref: '101716 - LOCK - EQUINE TO CANINE-Puppy - PL08.pdf'
- Male Labrador Kennel – Plan ref: '101716 - LOCK - EQUINE TO CANINE-Male Labrador - PL04.pdf'
- Female Labrador Kennel – plan ref: '101716 - LOCK - EQUINE TO CANINE-Female Labradors - PL06.pdf'
- Workshop – Plan Ref:'101716 - LOCK - EQUINE TO CANINE-Workshop - PL05.pdf'

Building	Width (m)	Depth (m)	Height (m)	Floor Area (m <sup>2</sup> )
Reception	6.040	6.040	2.65	36.5
Existing Steel Portal Framed Building	6.29	24.38	4.85	153
Beagles	8.99	3.3	2.5	29.6
Puppy Welping Room	7.0	5.6	3.32	39.2
Puppy	4.575	1.250	1.95	5.72
Male Labrador	3.00	7.750	2.90	23.25
Female Labrador	10.665	3.655	2.99	40.0
Workshop	7.770	4.250	3.0	33.0

### SECTION FOUR – LAYOUT

4.1 The layout of the site is detailed in the Site Plan 101716/LOCK/001/PL02 at Figure 2 below and shows the position of the all buildings concerned with the application along with the dog exercise yards and how these are accessed from Neachley Lane.



Figure 2 - Site Plan Extract

## SECTION FIVE – LANDSCAPING AND ECOLOGICAL ENHANCEMENT MEASURES

- 5.1 The site is situated within a mature woodland that screens the development from the public realm, therefore Landscaping plan is not considered necessary for this scheme.
- 5.2 All mature hedgerows and trees will be retained within and adjacent to the application boundary.

## SECTION SIX – APPEARANCE

- 6.1 The use of the main and additional buildings are detailed below.
- 6.2 Steel Portal Framed Building – originally used for equestrian purposes, now used to house the Dog Kennels, the canine Kitchen, onsite Laundry (Canine related) and food storage facility.
- 6.3 Reception Building – Temporary timber building used to welcome victors to the site, with adjacent car parking provision for visitors.
- 6.4 Additional Buildings – These are temporary timber framed buildings that are similar to equine buildings in appearance and use of materials. i.e. stabling / tack rooms,



these are common place in the rural setting and are now used in connection with the dog breeding enterprise, these buildings are detailed in drawings '101716- LOCK - EQUINE TO CANINE PL03 through to PL10' submitted with this application.



Plate 2 - Dog Exercise area and The Bothy and Steel Portal Framed Building in background

## SECTION SEVEN – ACCESS AND PARKING PROVISION

- 7.1 The existing access from Neachley Lane will be continued to be used as the main access to the site, this is a gated access road that is always closed until ingress or egress is required, there will be no alterations to the entrance in the application.
- 7.2 The location plan depicts two car passing places on the access driveway.





Plate 3 - Access to The Bothy



Plate 4 - Visibility onto Neachley Lane looking East





Plate 5 - Access onto Neachley Lane looking East

7.2 Parking is provided for two visitors' cars at the site.

## **SECTION EIGHT – PLANNING CONSIDERATIONS**

- 8.1 The National Planning Policy Framework (NPPF) was introduced in March 2012 and last updated in July 2021, to replace Planning Policy Statements, Planning Policy Guidance Notes, Circulars and Letters to the Chief Planning Officer. The National Planning Policy Framework replaced around 1000 pages of national planning policy with around fifty, putting the emphasis on achieving sustainable development.
- 8.2 The main shift in National policy through the introduction of the NPPF in 2012 is the presumption in favour of the granting of planning consent for sustainable development. The 2021 review of the Framework continues at section 2 with this presumption and confirms the three overarching objectives, which are interdependent; economic, social and environmental objectives.
- 8.3 Section 6, paragraph 83 Supporting a Prosperous Rural Economy is a key policy that promotes sustainable rural development for the benefit of rural business, farm diversification and tourism and leisure, and the retention of local services.

83. 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.
- 8.4 The Framework goes on at paragraph 84 to state 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. 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 any opportunities to make a location more sustainable (for example by improving 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”.
- 8.5 Section 12 of the 2018 Framework seeks to secure good design as a fundamental part of the overarching sustainable development objective.
- 8.6 Section 15. Conserving and enhancing the natural environment ensures that development does not have an unacceptable adverse effect on the environment, and “providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”
- 8.7 National planning policy seeks to protect the openness of the Green Belt in order to maintain the five purposes for which land was included in the green belt, namely;-
- To check the unrestricted sprawl of large built-up areas;
  - To prevent neighbouring towns merging into one another;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 8.8 Therefore by definition most types of development in the Green Belt is usually considered inappropriate and should not be approved. Chapter 147 states that ‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’
- 8.9 The re-use of the portal framed building is considered not to be inappropriate development in the countryside. The additional buildings are small in scale, stature and easily remove from the site. They are not capable of conversion to other more permanent uses.
- 8.10 The land within the application red line is considered to be Previously Developed Land, as defined at Annex 2 of the NPPF: -

***"Previously developed land:*** Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

- 8.11 Very Special Circumstances exist in terms of location; the location of The Bothy makes it a rare and ideal site from which to operate a dog breeding enterprise. The site represents a rare opportunity to rent a residential property with a small amount of land in a well-connected rural area, eminently suitable for the dog breeding enterprise. The site is approximately 1.5 miles from junction 4 of the M54 and approximately a mile and a half from Cosford Railway Station. It is very uncommon for residential smallholding with additional residential accommodation on site for family members/employees to become available for rental, and as such this represents Very Special Circumstances.
- 8.12 Very Special Circumstance exist in terms of the environmental objective; the development will use sustainable materials; the timber kennel buildings are relatively small in scale and are constructed from materials appropriate to the site and its surroundings. The siting of the kennels will not compromise the purposes of keeping land in the Green Belt, because they are small in scale, generally well laid out, temporary and mobile in design and in the construction method used. The structures are not permanent features in the green belt or landscape and do not lend themselves to conversion for other uses. These structures can easily be removed should the dog breeding enterprise cease, and this can be secured by way of a suitable planning condition requiring reinstatement of the site within six months of the dog breeding enterprise ceasing.
- 8.13 Very Special Circumstances exist in terms of the social objective; the proposal is to grant retrospective planning permission with regards to the change of use from Equine to Canine, this is a small-scale business which is necessarily located in a rural setting due to the need to exercise dogs in the outdoors and not in close proximity to neighbouring dwellings where noise could otherwise be a nuisance.
- 8.14 Very Special Circumstance exist in terms of the economic objective; the business directly employs 3 people, and uses local service providers and suppliers such as vets, feed suppliers etc.

#### Local Planning Policies

- Shropshire Core Strategy Development Plan Document (DPD) on 24 February 2011.
- 8.15 Strategic Objective 1 - Support the development of sustainable communities which are thriving, inclusive and safe, ensuring that people in all areas of Shropshire have access to decent affordable homes, jobs, education and training, multifunctional open



space and the countryside, healthcare, leisure, cultural, shopping and other facilities and services, and the provision of infrastructure, to meet their needs

- 8.16 CS13: Economic Development, Enterprise and Employment - In rural areas, recognising the continued importance of farming for food production and supporting rural enterprise and diversification of the economy, in particular areas of economic activity associated with agricultural and farm diversification, forestry, green tourism and leisure, food and drink processing, and promotion of local food and supply chains. Development proposals must accord with Policy CS5.
- 8.17 Policy CS5: Countryside and Green Belt - New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt. Subject to the further controls over development that apply to the Green Belt, development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to:

*Small-scale new economic development diversifying the rural economy, including farm diversification schemes;*

*The retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate;*

*The conversion or replacement of suitably located buildings for small scale economic development / employment generating use;*

*Sustainable rural tourism and leisure and recreation proposals which require a countryside location, in accordance with Policies CS16 and CS17;*

*The conversion or replacement of suitably located buildings for small scale economic development / employment generating use;*

*Conversion of rural buildings which take account of and make a positive contribution to the character of the buildings and the countryside. Proposals for conversions will be considered with regard to the principles of PPS4, giving equal priority to the following uses: - small scale economic development/employment generating use, including live-work proposals and tourism uses; - affordable housing to meet local need (including agricultural workers dwellings); - other uses appropriate to a countryside location.*

- 8.18 CS6 : Sustainable Design and Development Principles To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts to climate change.

Shropshire Council Site Allocations and Management of Development (SAMDev) Plan  
Adopted Plan 17th December 2015

- 8.19 MD6 : Green Belt In addition to meeting the general requirements that apply in the countryside as set out in Policies CS5 and MD7a and MD7b, development proposed in the Green Belt must be able to demonstrate that it does not conflict with the purposes of the Green Belt. Further to these requirements the following development will be supported: i. Limited infill development in identified Community Hubs or Clusters that accords with Policy MD3 and can demonstrate that it is sympathetic to the character of the settlement and the settlement policy, and in all other respects meets the policy tests set out in the Local Plan; ii. Development on previously developed sites, which would not have a greater impact on the openness of the Green Belt than the existing development, providing the development is for employment or economic uses, defence uses, local community use or affordable housing; and the development enhances the site and its contribution to the landscape setting.

## SECTION NINE – RESPONSE TO PLANNING POLICIES

- 9.1 The overriding objectives of sustainable development identified in the Framework and reflected in Strategic Objective 1 and CS6 of Shropshire Core Strategy, in each of the three specific objectives are considered to be met.

### Principle of Development

- 9.2 In terms of the economic objective, the proposal will create employment for the applicant, Mr Lock, his partner and his son who will operate the facility, along with employment for local suppliers and service providers. It will also provide some economic benefit to local suppliers and contractors during the construction and maintenance of the project, for fencing, groundworks etc.
- 9.3 The social objective is met by the proposal by encouraging outdoor sport and recreation which has benefits in respect of mental health and physical health benefits. Outdoor sport and recreation are well known to assist with the reduction in obesity, improvement in circulation, and to help combat mental health issues. The keeping of pets such as dogs is a contributory factor in encouraging outdoor activity, and also recognised as being positive for mental health well-being. Bonsaviour Retrievers is an established high-quality dog-breeder run to the UK Breeders Current licensing legislation. Bonsaviour aim to produce puppies, concentrating on quality, healthy and well-cared for puppies as a priority.
- 9.4 Another social benefit is the creation of the opportunity for Mr Lock, his partner and son to work from home and have flexible working arrangements that this proposal will deliver.
- 9.5 The environmental benefits of the scheme include being able to maintain the field as grassland. There is also an environmental benefit in establishing a small enterprise that means that the applicant and co-workers do not have to travel to work each day.
- 9.6 NPPF, section 6, supports the development of sustainable, particularly land-based enterprises in rural areas, and Shropshire’s Core Strategy supports rural diversification and in particular, CS13 states “In rural areas, recognising the continued importance of

farming for food production and supporting rural enterprise and diversification of the economy”.

#### Environmental Aspects

- 9.7 The proposed use of land from equine use to canine will so no great change in terms of environmental aspects.

#### Design

- 9.8 The proposed change of use of the small holding buildings involves very little operational development. It is considered that the proposed scheme is appropriate in terms of layout, character and appearance in this rural location. The use of ground reinforcing rather than using stone to create a hard standing for visitor car parking is considered a light touch, with less environmental impacts. These items can easily be removed from the field should the use cease. Overall, the design is considered to be acceptable, and accords with national and local planning policies.

#### Transport and Parking

- 9.9 The use of the site will be managed by the proprietor and the number of vehicles accessing the site controlled. The existing access to the property affords safe access and egress to and from the site in a forward gear. The site will generate less traffic than an equestrian enterprise and visitors are pre-booked for puppy collection and vet visits, making management of traffic flows straightforward. Please see Plates three four and five above for more information.
- 9.10 The site plan above depicts the general arrangement of the site showing passing places and sufficient space for turning vehicles safely on site. Access from Neachley Lane will remain unchanged. It is therefore considered that these proposals accord with the NPPF and Shropshire Core Strategy
- 9.11 The application site is not affected by public rights of way and therefore the development will not have any impact on them.

#### Employment and Economic Benefits

- 9.12 The proposal will provide employment for the applicant who resides at The Bothy Cottage, and wishes to run the dog breeding business from home. This is in line with the NPPF, Local Plan Policies CS5, CS6 and CS13.

#### Amenity

- 9.13 The site is not in close proximity to other dwellings not occupied by people not connected with the business, and as such the proposals will not have an adverse impact on the residential amenity of nearby non-connected residents. There will be no artificial light to impact wildlife such as bats, or the night sky.

## **SECTION TEN – CONCLUSION**

- 10.1 The proposal is for the change of use for land from equine use to canine use, and essential temporary buildings and equipment on a site previously developed for equine use. It is therefore considered land-based development that is appropriate to this rural location.



- 10.2 The dog breeding business operates from existing buildings and temporary buildings at the site. The proposal therefore does not have any significant detrimental effect on the character of the countryside, in particular landscape and ecology of the site.
- 10.3 The proposal will enable the owner of the field to operate a dog breeding business on the previously land which ensures that the land remains as pastureland with no likely additional impacts on ecology than equestrian use.
- 10.4 It is considered that the proposal will not result in the loss of amenity for any nearby residents because the nearest residents are family members.
- 10.5 The economic and employment benefits of the development accord with the objectives of national and local planning policies.
- 10.6 The Very Special Circumstances put forward in light of the green belt location are considered to be particularly relevant to the development.
- 10.7 Overall, the dog-breeding business proposed for the land, is considered to be appropriate uses of land in this rural green belt location, and therefore compliant with policies relating to the protection of the environment and the green belt.

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November 2022.