
F/YR25/0907/F

**Applicant: Mr D Hoyles
G H Hoyles Ltd**

**Agent: Mrs Sharon Brown
Robert Doughty Consultancy Ltd**

Land North Of Sorrento, Fen Road, Newton-in-the-isle, Cambridgeshire

Change of use of agricultural land to dog exercise paddock, erection of a shelter and 1.8m high boundary fencing, and formation of a car parking area and access

Officer recommendation: Grant

Reason for Committee: Parish Council comments contrary to Officer recommendation.

1 EXECUTIVE SUMMARY

- | |
|---|
| <p>1.1. The application seeks permission for the change of use of agricultural land to a dog exercise area with associated parking, fencing and a modest field shelter at Fen Road, Newton-in-the-isle. As a form of outdoor recreation, the development is considered acceptable in principle within this 'Elsewhere' location under Fenland Local Plan Policy LP3.</p> <p>1.2. The proposal would result in the loss of Best and Most Versatile (BMV) agricultural land, which weighs against the development in line with the National Planning Policy Framework and Fenland Local Plan Policy LP12. However, the land appears unused and unmanaged, reducing the weight of harm that can be attributed in this case.</p> <p>1.3. The development would introduce fencing, a small field shelter and parking area into an open rural site. Due to their modest scale and limited visibility, and subject to landscaping, impacts on rural character are considered, on balance, acceptable in accordance with Fenland Local Plan Policy LP16.</p> <p>1.4. Separation distances to nearby dwellings, together with the nature of the use, mean significant noise or disturbance is unlikely. The proposal raises no objection from Environmental Health and accords with Fenland Local Plan Policy LP2 and Fenland Local Plan Policy LP16.</p> <p>1.5. The development would utilise an existing access onto Fen Road with appropriate parking and turning provision. The Highway Authority raises no objection, and the proposal complies with Fenland Local Plan Policy LP15.</p> <p>1.6. The site lies within Flood Zone 3, but the use is water-compatible and acceptable under Fenland Local Plan Policy LP14, and as such there are no matters to reconcile in respect of flood risk.</p> <p>1.7. No significant ecological harm has been identified, and biodiversity net gain</p> |
|---|

will be secured by condition in accordance with Fenland Local Plan Policy LP19 and the Environment Act 2021.

- 1.8. Overall, the limited harms identified are outweighed by the acceptability of the outdoor recreational use, and the proposal is recommended for approval subject to conditions.

2 SITE DESCRIPTION

- 2.1. The application site comprises 1.55ha of agricultural land situated to the north of Fen Road, Newton-in-the-isle. The site is currently open land, bounded to the east and south by drainage ditches.
- 2.2. Fen Road is characterised to the east with a number of residential dwellings (set approximately 80m from the site) that lead into the built form of Newton-in-the-isle. Opposite the site, a residential dwelling known as Sorrento is affiliated with an agricultural commercial property, known as the Nursery; which includes a number of agricultural buildings and a hardstanding yard area. To the west development becomes significantly more sporadic, with open countryside and agricultural dwellings.
- 2.3. The site is located in Flood Zone 3.

3 PROPOSAL

- 3.1. The application seeks full planning permission for the change of use of the agricultural land to a dog exercise area. The scheme includes installation of permanent 1.8m high secure fencing, erection of a 4m x 3m field shelter, and formation of a car parking area, facilitated by the creation of an upgraded vehicular access.
- 3.2. Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

25/0014/PREAPP	Change of use of agricultural land to a dog exercise paddock, with car park, fencing and landscaping <i>Land North Of Sorrento Fen Road Newton-in-the-isle</i>	Favourable 13.05.2025
----------------	---	--------------------------

5 CONSULTATIONS

5.1. Newton in the Isle Parish Council

The Parish Council's Planning Committee considered this application at their recent meeting.

Members were broadly in support of an enclosed dog exercise area in the village but expressed concern regarding the proposed location. They noted that the decision notice of application F/YR23/0403/F from the same applicant at a different location nearby stated that "Ferry Lane is considered

inadequate to serve the development proposed by reason of its restricted width and lack of passing places..." which can also be said of Fen Lane. Furthermore, the same notice stated "Policy LP12 states that proposals should not harm the wide open character of the countryside and in particular part (c) considers that development proposal should not have an adverse impact on the character and appearance of the surrounding countryside and farmland, and part (i) seeks to retain high quality agricultural land unless comprehensive evidence is provided to justify the loss. Fenland is generally characterised by low lying mostly flat landscape. This means when out in the countryside there are vast views across the Fen. Ferry Lane is typical of this and characterised by the open countryside with agricultural fields surrounding it, sporadic dwellings and occasional agricultural storage buildings. The proposed enclosure of a large area of current agricultural land enclosed by fencing, with a gravelled parking area and gates is not considered in keeping with open country landscape and the loss of existing agricultural land has not been justified and the proposal is therefore considered contrary to policy LP12 (c & i) of the Fenland Local Plan 2014." The same issues arise with the current proposal.

On balance, Members resolved not to support the application.

5.2. Cambridgeshire County Council Highways Authority Recommendation

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, no significant adverse effect upon the public highway should result from this proposal, should it gain benefit of planning permission.

Comments

Whilst visibility splays have not been provided it appears that visibility splays for a derestricted road within the highway are possible.

Parking and turning space for customers will be provided to enable vehicles to exit the site in a forward gear.

In the event that the LPA are mindful to approve the application, please append the following Conditions and Informatives to any consent granted:

Conditions

The proposed vehicular access shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.

Reason: in the interests of highway safety.

Access Road Details: Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.

Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

Gates: Prior to the commencement of the use hereby approved any gate or gates to the vehicular access shall be set back 5 metres from the near edge of the highway carriageway, hung to open inwards, and retained in perpetuity thereafter.

Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

5.3. Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on local air quality, be affected by ground contamination or adversely impact the local amenity due to excessive artificial lighting.

This service would however welcome a condition that states the business operating hours shall be in accordance with those in the application: 06:00hrs - 22:00hrs Monday to Sunday and Bank Holidays

The content of the Planning, Design and Access Statement (Ref: 1622 2/DAS) is acknowledged and it would be prudent in the interests of amenity protection and should planning permission be granted, to impose a condition whereby the "Dog Park Noise Control and Complaints Management Plan - November 2025" within Appendix B must be adhered to.

I trust that the above confirms the stance of this service.

5.4. Environment Agency

Thank you for your consultation dated 08 December 2025. We have reviewed the documents as submitted and we have no objection to this planning application.

5.5. CCC (Lead Local Flood Authority)

Thank you for your consultation which we received on 8 December 2025. The increase in impermeable area is negligible and therefore the application does not have any surface water flood risk or drainage implications.

We have no further comments to make.

5.6. Anglian Water Services Ltd

We have no asset encroachment concerns and there are no foul proposals for the development.

Regarding surface water, from the details submitted to support the planning application within the Flood Risk Assessment REV 1 October 2025, the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. [...]

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be

re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

5.7. North Level Internal Drainage Board

My Board has no objections in principle to this development.

The Boards Blackdyke Drain runs along Fen Road. As in Drawing SP03 a 9-metre easement is shown. Therefore, the Boards byelaws apply. In particular Byelaw no.10, which states that "no person without the previous consent of the Board shall erect any building or structure whether temporary or permanent within 9 metres of the drain".

5.8. Arboricultural Officer (FDC)

I have no objections.

I would suggest that if space allows and it does not interfere with the usage of the site, that tree planting is considered where they can develop to offer shade and amenity.

5.9. Local Residents/Interested Parties

Objectors

The LPA received one letter of objection from a nearby residential property at Fen Road in respect of the proposed development:

Objecting Comments	Officer Response
Condition of the highway	Matters relating to highway safety are considered in the below assessment
Drainage	Flooding and Drainage are discussed in the below assessment
Ecology/Environmental Implications	BNG and Ecology implications are discussed in the below assessment
Amenity concerns – loss of view, concerns over antisocial behaving owing to a lack of welfare facilities, noise	The loss of view, and the inappropriate behaviour of users of the site owing to a lack of welfare facilities are not material planning considerations and as such is not considered below. However, where material, matters relating to residential amenity and environmental health are discussed in the below assessment

Supporters

One letter of support was received from a resident of Church Lane, Wisbech:

Supporting Comments	Officer Response
Beneficial addition to the village	Amenity impacts are discussed in the below assessment.

Limited highway impact	Matters relating to highway safety are considered in the below assessment
Minimal character or amenity impacts	Matters relating to design and character are discussed in the below assessment

6 STATUTORY DUTY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF) 2024

- Chapter 2 - Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 6 – Building a strong, competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2021

7.4. Fenland Local Plan 2014

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP6 – Employment, Tourism, Community Facilities and Retail
- LP12 – Rural Areas Development Policy
- LP14 – Responding to Climate Change and Managing the Risk of Flooding
- LP15 – Facilitating the Creation of a More Sustainable Transport Network
- LP16 – Delivering and Protecting High Quality Environments
- LP17 – Community Safety
- LP19 – The Natural Environment

7.5. Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

7.6. Delivering and Protecting High Quality Environments SPD 2014

7.7. Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- Principle of Development
- BMV Land
- Visual amenity
- Residential amenity and environmental health
- Highway safety
- Flood risk and drainage
- Ecology and Biodiversity Net Gain

9 BACKGROUND

- 9.1. This application was preceded in May 2025 by a Pre-Application enquiry seeking advice regarding the proposed development, described as the “Change of use of agricultural land to a dog exercise paddock, with car park, fencing and landscaping”. Officers considered that providing the scheme would comply with the necessary policies of the Fenland Local Plan, and where no statutory objections were received that could not be overcome, the proposal may be considered favourably.

10 ASSESSMENT

Principle of Development

- 10.1. Policy LP3 of the Fenland Local Plan sets out the settlement hierarchy for development within the district, grouping settlements into categories based on the level of services available, their sustainability and their capacity to accept further development.
- 10.2. The application site is located on the edge of Newton-in-the-isle and relates more to the open countryside than the built-up area of the settlement. and as such is considered to fall within an ‘Elsewhere’ location, as set out within the Settlement Hierarchy in Policy LP3. Policy LP3 supports proposals where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. It is considered that the proposed development will likely comply with Policy LP3 by way of outdoor recreation.
- 10.3. The principle of the development is therefore considered acceptable subject to the policy considerations set out below.

BMV Land

- 10.4. The National Planning Policy Framework (NPPF) states in paragraph 174 that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile (BMV) agricultural land. Policy LP12 states that proposals should not harm the wide-open character of the countryside and in part (i) seeks to retain high quality agricultural land unless comprehensive evidence

is provided to justify the loss.

- 10.5. National and local planning policies and guidance indicate that consideration should be given to loss of BMV land; however, they do not prohibit loss of BMV land. The appropriateness of utilising BMV land is a matter of planning judgement on a case-by-case basis.
- 10.6. Natural England's East Region Agricultural Land Classification Map classifies the application site as Grade 1 (Excellent) agricultural land, and thus it is accepted that the entirety of the application site comprises BMV land and the proposed development would result in loss of this land being available for arable production for the lifetime of the development, which would weigh negatively against the scheme. Notwithstanding, it is noted that the proposed use of the land as a dog park would not necessarily constitute a permanent loss of the land; there is scope for the land to be brought back into production in the future should the proposed fencing and timber field shelter be removed, and as such the level of weight that can be attributed to a 'permanent' loss of BMV land in this case should be reduced.
- 10.7. The application site does not appear to have been actively farmed for some time, with the site characterised by unmaintained modified grassland and scrub, as noted during a recent site inspection.
- 10.8. Thus, whilst it is accepted that the application will see some loss of BMV land for the proposed change of use to a dog exercise area, which weighs negatively towards the scheme, this loss cannot be considered as a permanent, irreversible loss, by virtue that the land could be brought back into production should the use of the land as a dog park cease. In addition, the lack of apparent evidence of recent active farming on the land further reduces the level of weight that can be given to this matter. As such, it is considered that the loss of BMV land must be given only limited negative weight in this case.

Visual amenity

- 10.9. Policy LP12 sets out that proposals for development in 'Elsewhere' locations, will be supported where the application does not cause demonstrable harm to the open countryside. Furthermore, Policy LP16 requires proposals for new development to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment, reinforce local identity and not adversely impacts, either in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area. In addition, LP16 requires proposals to provide well designed hard and soft landscaping.
- 10.10. In terms of buildings on the site, the proposed dog exercise area will include the erection on an enclosed timber field shelter set approximately 125m into the site on the eastern boundary. The 4m x 3m shelter will include a pitched roof, reaching approximately 1.9m to the eaves and 2.4m to the maximum ridge. The shelter is intended to be set well into the site which will result in negligible impact to the character of the area, particularly given that it is modest in scale and will not appear incongruous within the countryside

setting.

- 10.11. The scheme will also include erection of new 1.8m timber post and wire mesh fence to bound the site. The parking area will be enclosed by similar fencing with gates providing access to ensure dogs are safely enclosed from moving vehicles or other visitors on entry/exit. It is inevitable there would be some appearance of enclosure to bound the currently open land with fencing, however given its permeable appearance will not unduly restrict long range views across the landscape. As such, it is considered that the overall visual impact of the newly installed fence will be limited within the existing streetscene and have only minor impacts on character.
- 10.12. The most impactful change will be from the creation of the car park area to the front of the site, as this will result in an element of hard landscaping not currently present. However, given the overall scale of the parking area relative to the remaining exercise area, it is considered that whilst it will be apparent within the streetscene, the parking area will not result in a significant urbanisation of the area generally, particularly in the context of the nearby residential and commercial development. As such, it is considered that the creation of the car park area will only result in limited impact to character, not significant enough to warrant refusal of the scheme.
- 10.13. No substantive landscaping details were included within the current application, and it is noted that the submitted site plan considers the inclusion of modified grassland to bound the access and eastern and northern boundaries of the site. Whilst this is considered acceptable in principle, in the context of the wider landscape, details of the intended landscaping should be secured by condition, to ensure native planting is used and to ensure, where applicable, appropriate screening of the scheme.
- 10.14. Accordingly, the proposal is considered acceptable, on balance, with respect to Policies LP12 and LP16 of the Fenland Local Plan in terms of visual impact.

Residential amenity and environmental health

- 10.15. Policy LP2 seeks to promote high levels of residential amenity and Policy LP16 seeks to ensure development causes no undue harm to neighbouring amenity, particularly with respect to noise, light pollution, loss of privacy and loss of light. In addition, Policy LP16 seeks to ensure risks from noise, pollution, odour and waste are appropriately managed and mitigated where necessary.
- 10.16. The nearest residential properties to the site include 'Stepping Stones', located approximately 68m east, and 'Sorrento', set approximately 83m southwest, of the access for the proposed site. A number of additional dwellings are positioned to the east of the site, as part of the built form of Newton, along with more sporadic residential development to the west and south.
- 10.17. The use of the site as a dog exercise area may increase noise in respect of vehicle movements and/or dog barking. However, it is considered that the impact of disturbance will likely be limited.

- 10.18. The submitted application form and planning statement includes proposed opening hours of 7am to 10pm 7-days a week including Bank Holidays, which is acceptable in respect of the proximity to residential dwellings and can be secured by condition.
- 10.19. Although no lighting is expressly indicated to be erected within the current scheme, with the scheme proposed to be open during daylight hours only, any light overspill from any intended illumination can be limited through the use of conditions requiring a lighting scheme to be submitted for approval prior to (and in case of) the erection of any lighting, if intended in the future.
- 10.20. In addition, it should be noted that upon consultation with Environmental Health no amenity concerns have been raised from the intended change of use in respect of noise or any other environmental health concerns such as odour or waste. Notwithstanding, it should be noted that any grant of planning consent does not indemnify against statutory nuisance action being taken under the Environmental Protection Act 1990 in the event that the Environmental Health Team receive substantiated environmental health complaints with respect to this development.
- 10.21. Furthermore, details from the applicant regarding their intended management of the site with respect to bookings have been submitted and are considered acceptable.
- 10.22. It is noted from the submitted planning statement that "*Clients will be required to clean up after their dogs and deposit any waste in bins provided on site which will then be emptied by the management team*". However, specific details of waste management were not expressly included within the application. Accordingly, it is pertinent, to safeguard amenity, that a robust waste management strategy is secured by condition prior to the first use of the development.
- 10.23. Therefore, the proposal is considered acceptable in respect of Policies LP2 and LP16, subject to appropriate conditions.

Highway Safety

- 10.24. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district.
- 10.25. The development proposes an upgraded access off Fen Road into the site leading to a gravel car parking/turning area for seven vehicles.
- 10.26. There are no specified standards within Policy LP15 in respect of parking provision requirements for developments such as this. Notwithstanding, given the submitted planning statement emphasises a maximum of 6 dogs per booking, this will allow for an assumed maximum of 6 vehicles at any one time. Thus, the proposed parking/turning area is considered acceptable, allowing for 7 vehicles at once. In respect of the likely numbers at any one time however, the submitted planning statement highlights that this scenario is infrequent, on the basis of experience with other similar schemes managed by the applicant elsewhere. Most often, it is considered that the

site will mostly be attended by a maximum of two vehicles, with some overlap.

- 10.27. The Highway Authority have reviewed the current application proposals and confirmed they had no concerns regarding visibility or geometry of the access or parking and raised no objection to the scheme, subject to conditions. Noting that the proposal will be unlikely to result in unacceptable impacts to the public highway. Accordingly, it is considered the scheme complies with Policy LP15.

Flood Risk and Drainage

- 10.28. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding.
- 10.29. The application site lies within Flood Zone 3. Considering guidance within paragraph 4.4.2(ii) of the Cambridgeshire Flood and Water SPD, as the proposal is for change of use, a sequential test and exception test are not required in this case. Furthermore, the Flood Risk Vulnerability Classification in Table 4.2 of the Cambridgeshire Flood and Water SPD set out that areas of outdoor recreation are classified as "Water Compatible", with Table 4.3 stating that such uses may be appropriate in Flood Zone 3.
- 10.30. The application was supported by a Flood Risk Assessment and Drainage Strategy, concluding that surface water discharge will mimic the existing pre-development regime, and the proposal will not result in an increase of flood risk to others.
- 10.31. Statutory consultations were undertaken with the EA, LLFA, Anglian Water and North Level IDB, resulting in no objections from any on flood risk or drainage grounds.
- 10.32. Representations were received noting that Fen Road struggles with standing water during rainfall events. The scheme proposes no alterations to the public highway, save for upgrading the existing access where it meets the highway, which has been considered by the Highway Authority and is acceptable subject to conditions as discussed above. No concerns were raised by the Highway Authority with respect to drainage of the site and/or access, nor in respect of the suitability of Fen Road to serve the site. Furthermore, drainage proposals for within the site have been considered acceptable by the necessary statutory consultees, noting that the proposals will not result in unacceptable levels of run-off. As such, whilst drainage concerns are noted, the scheme is considered to be acceptable with regard to drainage and will not exacerbate any localised surface water flooding concerns and thus refusal of the scheme on these grounds is unreasonable.
- 10.33. Consequently, in light of the fact that the change of use will not result in any additional flood risk than what is existing on site, it is considered reasonable to determine that the proposal is acceptable in terms of flood risk and there are no issues to address in respect of Policy LP14, subject to conditions.

Ecology and Biodiversity Net Gain (BNG)

- 10.34. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.35. The application was supported by appropriate ecological assessment, noting that the risk of harm from the proposed development to protected species or habitat is negligible.
- 10.36. Notwithstanding, a Biodiversity Gain Condition is required to be approved before development is begun, to secure an appropriate BNG scheme and a Habitat Management and Monitoring Plan to ensure the site is appropriately managed to achieve Biodiversity Net Gain in perpetuity and ensure the scheme complies with Policies LP16, LP19 and the Environment Act 2021.

Parish Council Comments

- 10.37. The Parish Council comments received directly compared the current application to a previously refused application at Ferry Farm for a similar development (F/YR23/0403/F), noting the similarity of the schemes on the grounds of the loss of agricultural land, character impact and highway safety. In respect of the matters raised, Officers would respond as follows:

Loss of agricultural land

- 10.38. At the time of consideration of F/YR23/0403/F, the Ferry Farm site was observed to be in active agricultural use. Contrastingly, on recent inspection, it appears that the current application site at Fen Road is not in active agricultural production. Accordingly, whilst the classification of the land and the general proposal is the same in both cases, there was clear evidence of active agricultural use at the Ferry Lane site, which is not apparent at the current application site. Thus, the weight that can be attributed with regard to the loss of agricultural land is significantly reduced in this case, as discussed above.

Character impact

- 10.39. The Ferry Lane proposal included similar 1.8m wire mesh fencing to create the intended dog exercise field. However, the geometry of the Ferry Lane proposal was such that it encompassed a significantly wide area relative to the roadside by which the intended enclosure of the site would appear more prominent and incongruous within the open landscape.
- 10.40. However, as discussed above, whilst it is accepted that there will be some visual impact from enclosure of the current site, the geometry of the application site (longer than it is wide) will result in a comparatively less impactful fenceline when viewed from the highway, with the eastern and westerly fencing stretching away from the highway; Thus the overall visual impact of the fencing will appear less prominent the further you look from the highway, by virtue of natural perspective relative to the site geometry.

10.41. Accordingly, it is considered that the overall visual impact of the current application site, when compared to the Ferry Lane site, will be significantly less prominent and the negative impact on the countryside character will not result in harm significant enough to warrant refusal of the scheme in this case.

Highway Safety

10.42. Parish Council comments regarding the unsuitability of Fen Road for access to the site were received. Whilst some comparisons can be drawn, the most notable contrast is that the Ferry Lane application was recommended for refusal by the Highway Authority on the basis of unresolved matters such as inappropriate parking, turning, visibility and restricted widths, noting that Ferry Lane is an unclassified single-track no through road; which is not the case with current the application. As considered above, no objections have been received in respect of the current application from Highways, and as such there is no justification for refusal on highway safety grounds in this case.

10.43. Thus, whilst the Parish council concerns are noted, each application must be considered on its own merits. Given the above, it is considered that the contrasting circumstances between the Ferry Lane site and the current application site are such that they cannot be directly compared for the reasons detailed above.

11 PLANNING BALANCE and CONCLUSIONS

11.1. The proposed development seeks planning permission for the change of use of land to a dog exercise area with associated parking, fencing and a modest field shelter. The site is located within an 'Elsewhere' location in the settlement hierarchy defined by Fenland Local Plan Policy LP3, where development is generally restricted to that which is demonstrably essential to rural uses such as agriculture, outdoor recreation or similar activities. The proposal represents a form of outdoor recreation and is therefore considered to accord with the broad principle of development within this location.

11.2. The development would result in the loss of land classified as Best and Most Versatile agricultural land. This matter weighs negatively against the proposal in accordance with the guidance contained within the National Planning Policy Framework and Fenland Local Plan Policy LP12. However, it is noted that the site does not appear to have been actively farmed for some time and is currently characterised by unmanaged grassland and scrub. As such, while the loss of BMV land is acknowledged, the weight attributed to this harm is reduced in the planning balance.

11.3. In terms of landscape and visual impact, the proposed development would introduce fencing, a small field shelter and a parking area into a currently open parcel of land. Whilst these elements would alter the appearance of the site to some degree, the scale and design of the proposed structures are modest and are considered unlikely to result in significant harm to the wider rural character. The geometry of the site also limits the prominence of the fencing when viewed from the highway. Subject to appropriate landscaping

secured by condition, the development is considered to comply with the design and character objectives of Fenland Local Plan Policy LP16.

- 11.4. With regard to residential amenity, the separation distances to the nearest dwellings and the nature of the proposed use are such that unacceptable impacts from noise, disturbance, light or general activity are unlikely to arise. Environmental Health have raised no objection, and the use can be appropriately controlled through conditions relating to hours of operation, lighting and waste management. As such, the proposal is considered consistent with the amenity requirements of Fenland Local Plan Policy LP2 and Policy LP16.
- 11.5. The proposal would utilise an existing access onto Fen Road, with improvements proposed and a parking/turning area capable of accommodating the anticipated level of use. The Highway Authority has raised no objection subject to conditions, and the development is not expected to result in unacceptable impacts on highway safety or the operation of the local road network, in accordance with Fenland Local Plan Policy LP15.
- 11.6. The site lies within Flood Zone 3; however, the proposed use is classified as water-compatible development. Supporting flood risk information confirms that the development will not increase flood risk on or off the site, and no objections have been received from relevant statutory consultees. The proposal is therefore considered acceptable in respect of flood risk and drainage in accordance with Fenland Local Plan Policy LP14.
- 11.7. Ecological matters have been appropriately assessed, and the proposal is considered unlikely to result in harm to protected species or habitats. The development will be subject to a biodiversity net gain condition, ensuring that ecological enhancements and long-term habitat management are secured in accordance with Fenland Local Plan Policy LP19 and the Environment Act 2021.
- 11.8. Overall, whilst the proposal would result in the loss of Best and Most Versatile agricultural land and introduce limited built form and enclosure into the countryside, these impacts are considered to be relatively minor and are outweighed by the acceptability of the outdoor recreational use, the limited visual impact, the absence of significant amenity or highway concerns, and the ability to secure biodiversity enhancements.
- 11.9. Accordingly, having regard to the development plan as a whole and all other material considerations, the proposal is considered to represent sustainable development and is recommended for approval, subject to the imposition of appropriate planning conditions.

12 RECOMMENDATION

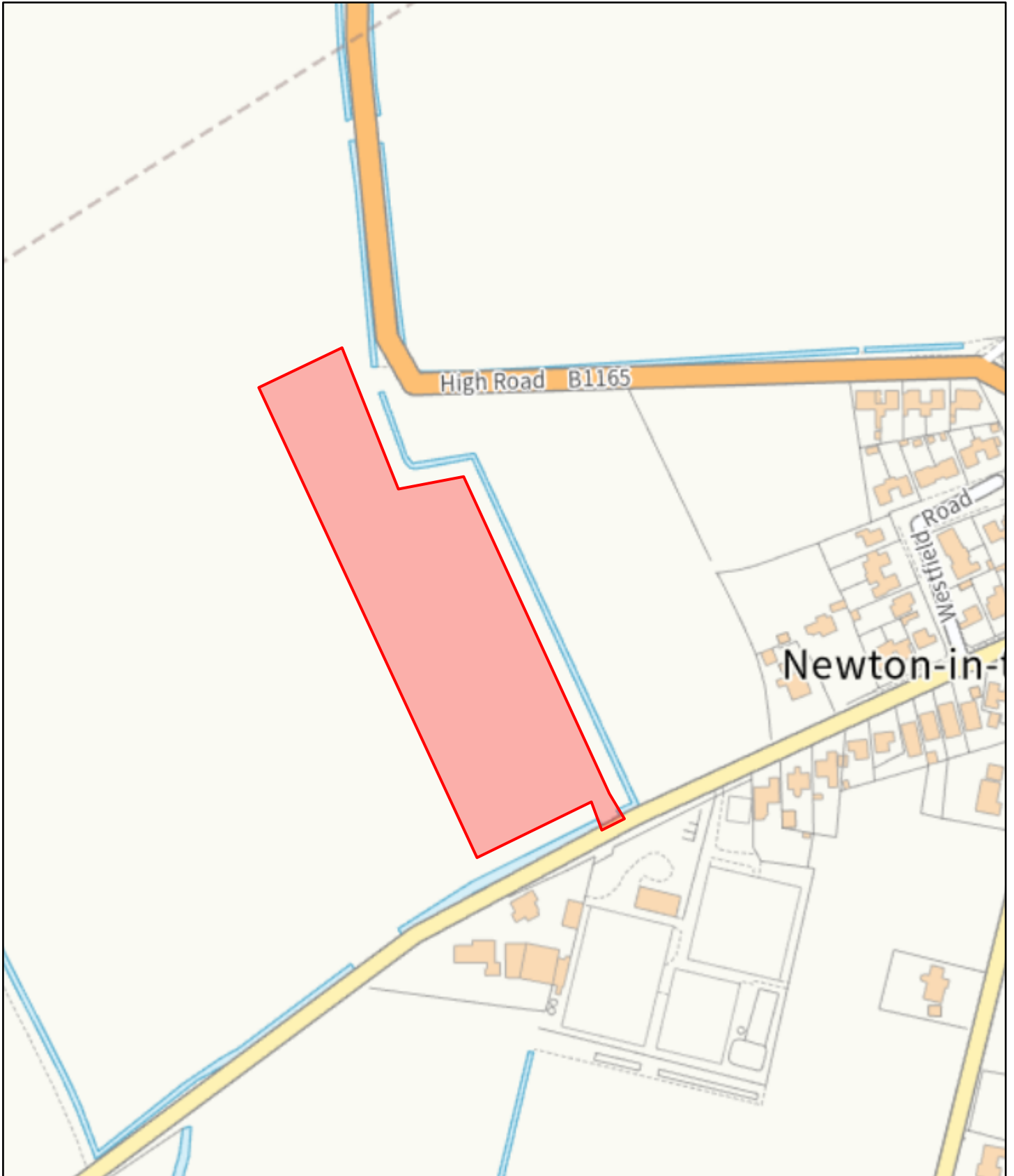
Grant, subject to the following conditions;

Conditions


1	<p>Start Date</p> <p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Access construction</p> <p>Prior to the commencement of the use hereby approved, the access shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway and thereafter maintained in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
3	<p>Access geometry</p> <p>Prior to the commencement of the use hereby approved, the access shall be constructed a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
4	<p>Access drainage</p> <p>Prior to the commencement of the use hereby approved, the approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.</p> <p>Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan 2014.</p>
5	<p>Gates</p> <p>Prior to the commencement of the use hereby approved, any gate or gates installed shall be set back a minimum of 5 metres from the near edge of the highway carriageway, hung to open inwards, and retained in perpetuity thereafter.</p> <p>Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.</p>
6	<p>Parking/Turning</p> <p>Prior to the commencement of the use hereby approved, the on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in</p>

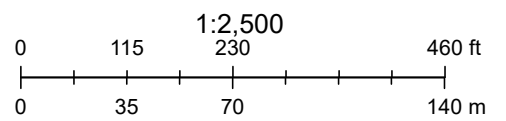
	<p>perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
7	<p>Drainage</p> <p>Prior to the commencement of the use hereby approved, the surface water drainage scheme shall be constructed and maintained thereafter in full accordance with the Flood Risk Assessment, RM Associates, October 2025 (Version 1).</p> <p>Reason: To ensure surface water is managed appropriately so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself in accordance with the NPPF and Policy LP14 of the Fenland Local Plan (2014).</p>
8	<p>Operating Hours</p> <p>The dog exercise area hereby approved shall only be used between the hours of 07:00 to 22:00 Monday to Sunday, inclusive of Bank Holidays.</p> <p>Reason: In the interest of residential amenity in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
9	<p>Site Management</p> <p>The management of the site will be in strict accordance with the details as set out within the “Dog Park Noise Control and Complaints Management Plan, November 2025” as set out within Appendix B of the approved Planning, Design and Access Statement (Ref: 1622 2/DAS).</p> <p>Reason: In the interest of residential amenity in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
10	<p>External Lighting</p> <p>No external lighting shall be erected on the site without the submission of full details to, and written approval of the Local Planning Authority. Any security/floodlighting shall be installed and retained strictly in accordance with the approved details.</p> <p>Reason: To safeguard amenities of adjoining occupiers as per Policy LP16 of the Fenland Local Plan 2014.</p>
11	<p>Waste management</p> <p>Prior to the commencement of the use hereby approved, a waste management strategy shall be submitted to and approved in writing by the Local Planning Authority. The waste management shall accord with the agreed details and thereafter be retained in perpetuity, unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of waste management in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>

12	<p>Landscaping</p> <p>No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority, the scheme should include, as a minimum:</p> <ul style="list-style-type: none"> a) hard surfacing, other hard landscape features and materials b) existing trees, hedges or other soft features to be retained c) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife, including specifications of species, sizes, planting centres number and percentage mix d) landscaping management and maintenance details. <p>The approved landscaping scheme shall be carried out within the first available planting season following completion of the development or prior to first use (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014, adopted May 2014.</p>
13	<p>BNG</p> <p>The development shall not commence until a Biodiversity Gain plan is submitted to and approved in writing by the Local Planning Authority;</p> <p>The Biodiversity Gain plan shall deliver a minimum of 10% biodiversity net gain and will include as a minimum, where applicable:</p> <ul style="list-style-type: none"> a) Details regarding how the biodiversity gain hierarchy has been applied; b) Details regarding proposed on-site biodiversity enhancements; and/or; c) Details regarding proposed off-site biodiversity gains; and d) A completed pre and post development biodiversity metric calculation; and e) A Habitat management and monitoring plan for both on and off-site improvements. <p>The approved plan will be implemented within 1 year of the approval and so maintained for at least 30 years after the development is completed.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p>
14	<p>Approved Plans</p>



12/8/2025, 3:50:46 PM

 Fenland District Boundary





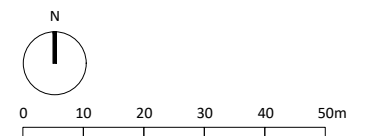
Notes

Copyright
 © Robert Doughty Consultancy Limited.
 All rights described in the Copyright, Designs and Patents Act 1988 have been asserted.

Ordnance Survey Map
 © Crown Copyright. OS Licence No: AR 100010613.

Dimensions
 All dimensions shown are for the purposes of obtaining the relevant planning permission only.

CDM 2015
 This drawing is for illustrative purposes and/or obtaining the relevant planning permission only. It should not be used for construction and accordingly, risk identification under the Construction (Design & Management) Regulations 2015 has not been undertaken.



Rev	By	Description	Date
-	-	-	-

Current revision checked by: -

rdc
 Robert Doughty Consultancy

32 High Street, Helpingham
 Sleaford, Lincolnshire, NG34 0RA

Tel: 01529 421646
 Email: admin@rdc-landplan.co.uk
 Web: www.rdc-landplan.co.uk

Client
 GH Hoyles Ltd

Project
 Dog exercise paddock
 Newton in the Isle

Drawing
 Proposed Site Plan

Scale @ A3 1: 1250	Date 07/10/25
------------------------------	-------------------------

Drawn By WW	Checked By -
-----------------------	------------------------

Job Number 1622-2	Status FP	Purpose of Issue Planning
-----------------------------	---------------------	-------------------------------------

Drawing No. 1622-2_FP_SP102	Rev -
---------------------------------------	-----------------

Post development BNG figures

	Area (m2)
Red line area	15,255
Habitat type	
(1) Developed land, sealed surface	85
(2) Modified grass	82
(3) Artificial unvegetated, unsealed surface	216
(4) Artificial unvegetated, unsealed surface	156
(5) Modified grass	480
(6) Modified grass	12,652
(7) Modified grass	58
(8) Modified grass	1,514
(9) Building	12
	15,255

Dashed line denotes extent of Local Nature Recovery Strategy Habitat falling within the application red line (south of dashed line)