
Justification Statement

**17 Rhos Berse Road
Coedpoeth
Wrexham
LL11 3BT**

Change of use of
agricultural/amenity land to dog
walking paddocks and all
associated works

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1.0 The Proposal

The proposal is for a change of use of agricultural/amenity land that will provide two secure paddocks that will allow local people and visitors to the area access to a safe and secure area to exercise their dogs. The proposal is on land at 17 Rhos Berse, Coedpoeth.

The application site forms part of 17 Rhos Berse lying to the north, east and south of the dwelling and adjacent to Rhos Berse Road . 17 Rhos Berse is a private dwelling with 4.5 acres of land along with a detached garage.

The proposed dog walking area will cover 4 acres and will have two secure paddocks while utilising an existing small car parking area.

The proposed site will be accessed through the existing entrance to the dwelling off Rhos Berse Road with appropriate visibility in both directions. The change of use will have no detrimental effect of the surrounding areas.

The design aims to keep a balance between the two aims of the planning system – efficient economic development and protection of the landscape.

The use of the paddocks is to allow people living locally and visitors to the area a safe place so they can walk their dog off the lead. The paddocks will have appropriate specialised fencing to ensure that the loose dogs are secure and safe. The site will have a small parking area for visitors and will utilise the existing access.

The land will be securely enclosed with 1.8m high fencing, which could lawfully be erected under permitted development.

The applicants have identified a demand for this use through social media interest generated on local Facebook pages and the request for more exclusive and private facilities in light of social distancing and COVID-19

The proposal will not have any adverse effect on the site or surrounding area due to the nature of the use. The client proposes to erect specialised fencing around the 4 acre site allowing for two secure paddocks. The site will utilise an existing small hardcore parking area leading off the access, otherwise the site will remain in its existing state.

2.2 Ecology

As part of this application Arbor Vitae were commissioned to undertake a Preliminary Ecological Appraisal in order to assess the impact of the development on habitats and protected species. Their report concluded that the proposed development would have no detrimental effect to wildlife or the surrounding ecology.

2.3 Highways

The proposal will have minimal impact on highways as the site will be accessed by an existing access with appropriate visibility in both directions. The proposed change of use will allow for two dog walking paddocks, the paddocks will have to be pre booked and will be available for up to 55-minute slots. The paddocks will have staggered start times to ensure there will only be one vehicle movement at any one time.

3.0 Planning Justification for the proposal

All dog walking sessions are to be pre booked for up to 55 minute slots. Dog walkers will not be able to just turn up speculatively. The paddocks will be booked exclusively for the dog or dogs and their owners. We would expect an average of 1.5 dogs per paddock per session.

The number of dog owners are increasing every year and one of the most important parts of owning a dog is to ensure they have regular walks and get the exercise they require to stay healthy. Off leash walking has proven benefits to a dogs mental and physical health, there are very few secure locations available where dog owners can allow their dogs to run without being on a lead. The majority of public areas and beaches that allow dogs have a strict 'on lead' policy.

Training is a huge part of dog management and ownership, recall being one of the most fundamental commands of all. It is incredibly difficult to train this important command if you do not have access to a secure location to allow your dog to be unleashed. The proposal will provide a secure environment where owners can train their dogs, thus ensuring a better and healthier life for the dogs.

There are several dogs and owners that suffer with anxiety when out in public places due to dogs having behaviour issues and poor training. These dogs and owners often stay within their own house and garden to ensure they do not cause harm to others while out walking. The proposal will give these owners and dogs a safe area to exercise.

These problems have worsened during the pandemic, there is an increasing number of inexperienced dog owners resulting in parks and open spaces becoming crowded with disobedient dogs that were purchased during lockdown and didn't have access to training classes etc. Many of these dogs are now poorly socialised adolescents with behavioural problems.

Dog theft has dramatically soared during the pandemic, as the nation's lockdowns resulted in a growing demand for puppies. Between March and August 2020, The Kennel Club saw a 161% rise in puppy searches via its website, compared with the same period in 2019 and the price for sought after breeds has skyrocketed. With targeted dogs stolen to be sold on, bred from or held for ransom, DogLost witnessed dog theft increase by 250% last year. The proposal will be secure paddocks with CCTV where the owners can always see their dog, there will also be a booking system and unauthorised visitors will not be allowed on site.

There have been increasing numbers of incidents recently involving 'livestock worrying' from dogs. This can be extremely detrimental to livestock owners. The majority of footpaths in the area crossover farmland and unfortunately many dogs are not trained and have an instinct to chase livestock.

The clients will provide dog waste bins and will ensure these are emptied on a regular basis. There will be a strict policy on site to ensure all users pick up and dispose of the dog foul in the provided bins. The waste bins will be emptied by the clients twice weekly. The waste will be collected by a licensed waste collector.

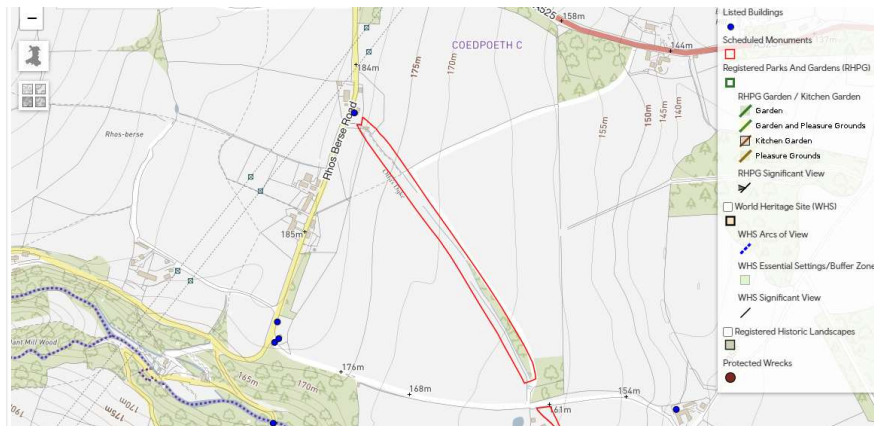
4.0 Cultural Heritage Assessment

Legislation relating to archaeology and to scheduled ancient monuments is contained in the Ancient Monuments and Archaeological Areas Act 1979.

Legislation regarding buildings of special architectural or historic interest is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.

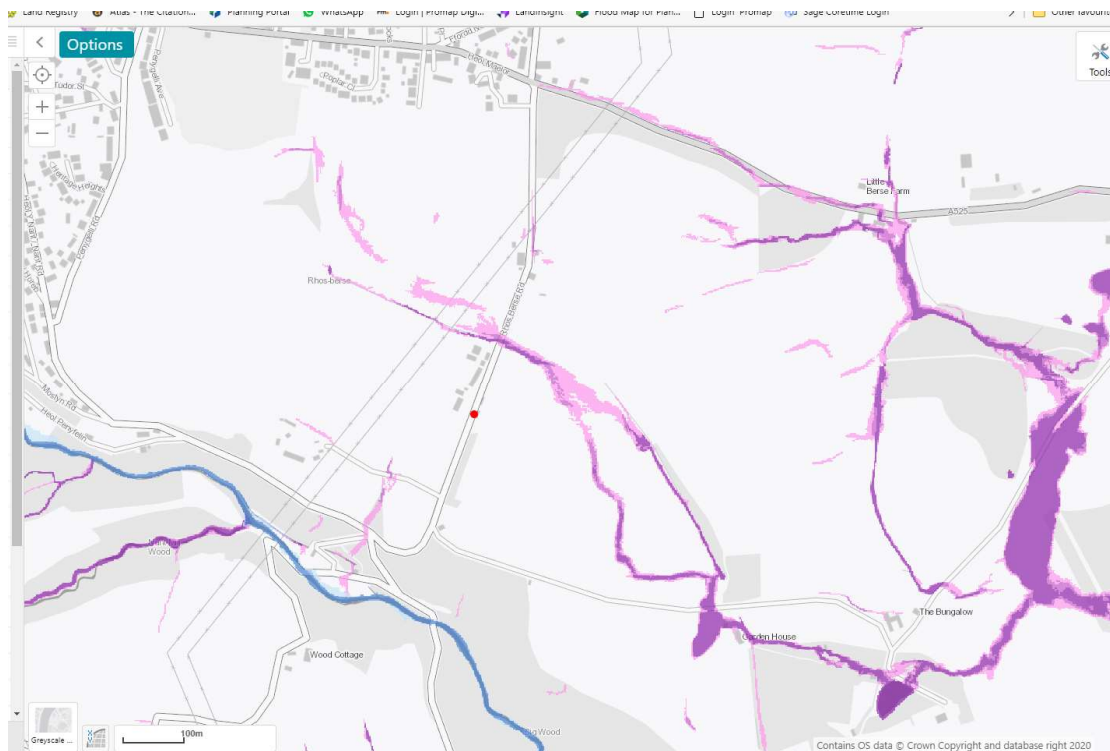
Section 66 of the 1990 Act is of relevance in that it states that special regard must be given by the decision maker in the exercise of planning functions to the desirability of preserving a listed building and its setting. Section 72 of the 1990 Act provides protection for the character and appearance of conservation areas.

There are no known designated cultural heritage assets located within the site application boundary. Therefore, there will be no predicted direct impacts arising from the proposed development on designated cultural heritage receptors. The wall running along side Rhos Berse Road and the application site is Grade II Listed (ref number 16456) however the proposal will have no effect of the listed wall.



5.0 Flood Risk

The site is located outside the NRW's Flood area.



6.0 Footpaths

There is a footpath located within the site however the clients will ensure the proposed fencing is placed to the north and south of the footpath to ensure there will be no obstruction to the right of way.



7.0 Policy Context

Analysis of Planning Policy against 17 Rhos Berse proposal.

The purpose of this section is to provide an overview of how the proposed change of use of land at 17 Rhos Berse 'fits' with the National, Regional and Local agricultural policy and legislative framework.

This section is structured around the hierarchical policy framework of:

- National agricultural strategy and planning policy guidance

- Local development plans.

This section concludes with an overview of the proposed development in the context of the key policy messages.

National Planning Policy

Planning Policy Wales (Edition 11 February 2021) – Chapter 7 Supporting the Economy

7.1.1 For planning purposes the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. The construction and energy sectors are also important to the economy and are sensitive to planning policies.

7.1.2 It is essential that the planning system considers, and makes provision for, the needs of the entire economy and not just those uses defined under parts B1-B8 of the Town and Country Planning Use Classes Order. Particular policies on other economic sectors are also found elsewhere in Planning Policy Wales: in relation to Retail and Town Centres (Chapter

10); Tourism, Sport and Recreation (Chapter 11) and Infrastructure and Services (Chapter 12).

7.1.3 The planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development. To this end, the planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Local planning authorities should aim to facilitate the provision of sufficient land required by the market, except where there are good reasons to the contrary. In addition, wherever possible local planning authorities should seek to guide and control economic development to facilitate regeneration and promote social and environmental sustainability. In so doing, they should aim to:

- co-ordinate development with infrastructure provision;
- support national, regional, and local economic policies and strategies;
- align jobs and services with housing, wherever possible, so as to reduce the need for travel, especially by car;
- promote the re-use of previously developed, vacant and underused land; and
- deliver physical regeneration and employment opportunities to disadvantaged communities.

7.3.3 Local planning authorities should adopt a positive approach to development associated with farm diversification in rural areas, irrespective of whether farms are served by public transport. While initial consideration should be given to adapting existing farm buildings, the provision of a sensitively designed new building on a working farm within existing farm complexes may be appropriate where a conversion opportunity does not exist.

Local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation. In addition they should adopt a positive approach to the conversion of rural buildings for business re-use.

7.5 Development Plans and the economy should:

- Include policies encouraging farm diversification and new rural development opportunities.

Technical Advice Note (TAN) 6 – Planning for Sustainable Rural Communities (2010)

3.1.2 Planning authorities should support the diversification of the rural economy as a way to provide local employment opportunities, increase local economic prosperity and minimise the need to travel for employment.

Technical Advice Note (TAN) 6

Paragraph 25 under Development Related to Farm Diversification states the following:

'Small on-farm operations such as food and timber processing and food packing, together with services (e.g. workshop facilities, equipment hire and maintenance) to other farms, sports and recreation services, and the production of non-food crops and renewable energy, should be encouraged. Local planning authorities should, however consider the nature and scale of activity that would be appropriate.'

Wrexham Unitary Development Plan 1996-2011

Policy E5 Employment in the Countryside

7.11 New development in the countryside which would result in a loss of visual quality and landscape character and adversely affect agriculture will be resisted. However, in some rural areas there is a need to provide employment, prevent the loss of services, and maintain a viable and balanced community. Small businesses, often start-ups, which are financially constrained, can operate from low cost accommodation thereby providing employment opportunities for local rural communities. The re-use and adaptation of existing vacant or underused buildings in the countryside can provide such opportunities providing proposals do not conflict with the interests of local residents, the quality of the local environment, and providing satisfactory access and parking can be provided.

The proposal will not have an effect of the surrounding landscape and will be a benefit to the local area while allowing the clients to receive an income from the land within their ownership

8.0 Conclusion

The proposal is for a change of use of agricultural/amenity land that will provide two secure paddocks allowing local people and visitors to the area a safe and secure paddock to exercise their dogs, on land at 17 Rhos Berse.

There would be no adverse impact on neighbouring properties as a result of the proposal and satisfactory parking will be provided on site. The access to the development would not compromise highway safety. The design and form of the development would be in character with the area which is open and rural in appearance.

There will be no permanent development on this site as a consequence of this change of use, other than the introduction of additional fencing.

The proposed change of use will not effect any footpath or ancient monuments and is not located in the NRW's flood zone.

The proposal will have benefits to the local community by providing a safe place for dog owners to walk and train their dogs.

The proposal complies with policy E5 of the local planning guidance along planning policy Wales 11 and TAN 6 of the National Planning Policy.

It is considered the proposal will have no adverse effect on the surrounding landscape, we therefore politely request the application is approved.