



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

13 October 2021



Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 13 October 2021 that was received after the Agenda was published.

S21/1425

Proposal: Change of use to dog exercise paddock, reinstatement of a vehicular access and erection of two wooden shelters

Site Address: Oaklands, Main Street, Ingoldsby, NG33 4HA

Additional Representations

CLlr Sarah Trotter, Lincrest Ward:

“It is crucial that no members of the public, dog walking etc are restricted in anyway using this route should permission be granted to the Allen family for S21/1425. Or any obstructions mounted such as the stile that was erected by Colin Allen over period of 2019-2020 (that period is an estimate). This has now been taken down after requests from myself, County Cllr and myself.

Therefore, perhaps can I ask that this is incorporated into the planning conditions, and any contravention forfeits their right to use for the purposes they have applied.”

Lincolnshire County Council, Definitive Map Officer – Countryside Services

“I write regarding the application to add to the definitive record a footpath between Lenton Road and Public Footpath No.13 in the parish of Ingoldsby. Evidence had come to light which suggested a longer route had been used, in the past, than had been applied for. A route extending northwards beyond Ingoldsby Public Footpath No.13 and then running across to the Humby Road (near the telephone exchange).

Research suggests that public footpath rights exist over the whole route between Lenton Road and Humby Road (See footpath marked 'A-B-C-D-E' on the attached plan - Drawing No. 2021/019/DMMO409/A4). The County Council has therefore decided to make an order seeking to record public footpath rights on the Definitive Map and Statement. I will shortly be instructing the County Council's Legal Services Office to make the Order. This will be followed by a period of 42 days during which representations or objections may be made. You will be notified when the Order has been made.”

Robert Doughty Consultancy Limited provided the following statement on behalf of the applicant, Mr J Allen:

“We will of course obtain all necessary permissions in respect of the ditch. There will be the need to remove a scrappy tree and a small section at the end of the hedge and some minor works to level the ground that would be the subject of the necessary permissions, if required.

With regard to the ‘claimed’ footpath, I can confirm the following: -

- i. It is intended to use part of the claimed footpath for vehicular access to the application site as shown on the plans that accompany the planning application. The ‘claimed’ footpath also currently provides access to my client’s residential property and to the access the agricultural fields beyond.
- ii. There will be no encroachment, either permanent or temporary onto the ‘claimed’ footpath.
- iii. The proposed development will not pose any danger or inconvenience to the public using the ‘claimed’ footpath
- iv. There will be no requirement to install any gates and the surface is not proposed to be changed.

In respect of the management of the site, my client can advise the following: -

There will be a sign displayed within the car park that sets out the rules of the facility and these will also form part of the online booking arrangements.

The hours of use as suggested are acceptable albeit that the site will only be in use during daylight hours (as set out in our application) so the hours would not apply during the winter months.

There will be no more than 10 dogs on site at any one time (exercise or agility classes).

If there is a requirement/demand for agility classes these will take the form of 50 minute sessions with a 10 minute changeover period. Exercise sessions will be 1hr with a 10 minute changeover period.

The rules and ability to book either an exercise class or an agility class will be set out when the electronic booking is made so it is not possible to be say how many of each there will be because this will be dictated by demand. However, the agility classes will be very much the minority as this will be a specialist event unlike general exercise sessions.

Officer comments

Lincolnshire County Council (as Definitive Footpath Officer) has given an update with regard to Footpath Order No.13 in that it is intended to confirm the order in due course. The updated comments received from the applicant agent confirm that the proposed development would not result in any obstruction of the ‘claimed’ public footpath and that no gates will be installed to obstruct access. Therefore, as set out in Section 8.3 of the main report, it is considered that the application proposals would be in accordance with Policy ID2 of the Local Plan, and Section 9 of the National Planning Policy Framework.

In respect of Cllr Trotters request to impose a condition that suggests that any disruption to the footpath would ‘forfeit’ their right to use the field for the proposed business use. Any blocking/obstruction to the public footpath would be enforced under separate legislation overseen by Lincolnshire County Council and it is not therefore considered that such a condition would be necessary for this application.

The recommendation remains that the proposal should be approved, subject to conditions.