



Appeal Decision

Site visit made on 12 August 2025

by **A J Sutton BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th September 2025

Appeal Ref: APP/C1625/W/25/3364888

Playschool for Dogs, Cirencester Road, Minchinhampton GL6 9ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss Sharyn O'Flynn against the decision of Stroud District Council.
 - The application Ref is S.24/1442/FUL.
 - The development is described as:
 - '1. Timber structure - height 2400mm, width 2400mm, depth 1900mm. Timber shed with one door and two windows. Roofing felt on roof. For storage use.
 - 2. Three shelters; round wooden upright posts with corrugated tin roof, open all sides. Height 2200mm sloping to 2000mm, width between poles 3700mm, depth 3500mm. These structures have no sides/walls and are completely open.
 - 3. Concrete area. For the purpose of washing dogs. 10.6m by 6.7.
 - 4. Two adjoining shingled areas: shingle on plastic membrane - no hardstanding underneath, just grass underneath. One measuring 18m by 11m. The other measuring 11m x 8.5m.
 - 5. Entrance from Cirencester Road - type 1 topped with shingle. Access for vehicles. 23m from fence to parking area, 11m wide.
 - 6. Pool. Sunken dog splash area with concrete skim. 12,500mm length, 500mm deep at shallow end, 1000mm at deep end.'
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Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs was made in writing by Miss Sharyn O'Flynn against Stroud District Council. This application is the subject of a separate Decision.

Preliminary Matter

3. The access as shown on the submitted drawing was in place at the time of the site visit, as were the structures and enclosures shown in the site.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the Cotswolds National Landscape.

Reasons

5. The appeal site is a parcel of land near the edge of Minchinhampton. Although it is close to the settlement, it is divided from it by an adjacent paddock. The footpath on the immediate southeast boundary of the appeal site overlooks an expanse of arable land. Along with the use at the appeal site, there is some other development on this side of the road when heading towards Minchinhampton, but that is fragmented and generally limited to a ribbon of built form between which the

relatively undeveloped landscape beyond is clearly perceptible. With these features the appeal site and its immediate surrounds has a distinctive rural character.

6. The site is in the Wold Tops landscape character type of the Cotswolds National Landscape. The land in this area forms a relatively flat plateau, and the Stroud District Landscape Assessment Supplementary Planning Guidance states other key characteristics of this landscape include expansive upland, with large arable field pattern and grassland, that provide satisfying long distance views and a sense of remoteness and space.
7. The appeal site already benefits from a planning permission for the exercising of dogs as a business and this includes play equipment (2022 Permission). The approved drawing of that consent shows a limited number of wooden props dispersed around the site. Simple open fronted, timber shelters are listed in the approved plans, and I saw these were also dispersed around the paddock and appeared not dissimilar to structures which would likely be present in a field used for grazing. The 2022 Permission permits other structures, but these are largely confined to the road edge of the site, near the access and relatively small parking area.
8. The approved plan shows the site broken up into enclosures with stock wire fencing. However, there are two large enclosures that are relatively free of structures such that the undeveloped quality in the centre of the paddock was largely retained under the 2022 Permission.
9. As such, while the site is close to Minchinhampton, the previous permission ensured that it kept qualities that contributed positively to a sense of undeveloped space at this edge of settlement location, from which the expansive farmland, with long views, and sense of remoteness in the wider landscape, can be appreciated. As such the simple pattern of land uses that unifies this area was largely maintained and the special qualities remained discernible to members of the public using the footpath at the boundary of the site.
10. The National Planning Policy Framework (the Framework) states great weight should be given to conserving and enhancing landscape and scenic beauty of National Landscapes. Generally reflective of this provision, Policy ES7 of the Stroud Local Plan (Local Plan) and Policy MP ENV1 of the Minchinhampton Neighbourhood Development Plan (Neighbourhood Plan) prioritises the conservation and enhancement of the natural and scenic beauty of the Cotswolds Area of Natural Beauty [National Landscape].
11. The submitted details for the scheme before me shows two shingled areas, split into two enclosures and hosting three shelters. Adjacent to this, is two concreted areas which are also enclosed by boundary fences. A further enclosure contains a swimming pool with a concrete skim, that while narrow, is around 12 m in length. These new features protrude significantly beyond the originally approved parking area and hedge, into a part of the site that was left relatively structure free under the 2022 Permission. There is now a cluster of structures, materials and enclosed areas of concrete and shingle on a parcel of the site that previously comprised mostly grass land.
12. It is argued that the shingle areas may not constitute development. But even if I accept that, it is part of the scheme that I am being asked to consider in this

appeal. In any event, even if those areas did not require permission, the other aspects of the scheme still comprise a concentration of development and mix of materials that are distinctly different to the features that would usually be observed in a paddock. Moreover, the appearance and extent of this development is considerably at odds with the sympathetic aesthetic of the dispersed and largely wooden structures and props that were permitted previously at the appeal site.

13. The paddock quality that was retained under the previous permission has been considerably eroded with this intensification of development, and in turn the valued characteristics previously apparent at the site, and which positively contributed to this part of a nationally important landscape, have been significantly diminished. While the additional timber structure indicated for staff welfare may be discretely located at the edge of the site, this is not the case for the features identified above.
14. As already stated, the area is relatively flat such that this harmful change in character at the site is apparent in localised views. That said, even with flat roofs, the incongruously grouped structures and enclosures now cluttering the site, and the resultant erosion of landscape quality, can be seen from the adjacent public footpath, in glimpsed views from the road and is likely to be visible from the upper floors of properties that edge Minchinhampton. The valued qualities and characteristics of this area have been visually eroded by what appears to be a considerable alteration in the nature of the lawful use at the site. This change is at odds with the simple pattern of land use types that unify this landscape.
15. Some landscape impact was identified in respect of the 2022 Permission, but that was found not to be harmful upon the wider setting of the Cotswolds National Landscape. However, as detailed above, the development subject of this appeal is quite different from that original proposal. Unlike the approved development, the reasonable and proportionate steps to avoid visual harm and to conserve the special qualities and key characteristics of this part of the protected landscape are not apparent in this case. The resultant visual harm, though localised, is significant for the reasons described, and the development therefore fails to conserve landscape and scenic beauty of this part of the National Landscape.
16. It was concluded in respect of the 2022 Permission that a rural location is suitable for dog exercise uses and that the activity at this location could take the pressure off surrounding outside spaces and protected environments. Leaving aside animal welfare and staff safety, which I will address in due course, I find no persuasive evidence that the concentration of structures, concreted areas and a swimming pool is essential for the training, socialising and exercising of dogs in this rural location. My findings on this issue are not altered by this matter for this reason.
17. Trees have been planted and old buildings renovated at the site. However, even if I accept that these are enhancements, those measures were secured in the 2022 Permission such that they do not weigh in favour of this new scheme.
18. I therefore find that the development has had a significant harmful effect on the character and appearance of the Cotswolds National Landscape. In this regard the development conflicts with Policy CP14, EI4 and ES7 of the Local Plan and MP ENV 1 of the Neighbourhood Plan. These Policies collectively seek high quality development, that amongst other matters contribute to the retention and enhancement of important landscapes.

Planning Balance and Other Matters

19. The existing business is said to support 12 jobs. However, it is unclear whether the development before me results in a net gain of employment. It is also advanced that the business offers internships that have led to long-term career opportunities and have helped support children that struggle in a school environment and may have additional educational needs. Again, it is unclear whether these significant social and economic benefits will be increased by this development.
20. That aside, the appeal site supports a small rural based enterprise, and this adds to the vibrancy of local services. Policy EI4 of the Local Plan provides support for existing employment sites in the countryside, and the provision of new buildings. But this support is qualified requiring amongst other matters that proposals would not have an unacceptable visual impact on the local character. MP DEV 1 of the Neighbourhood Plan also provide support for social aims but still requires high standard of design and to respect the natural environment.
21. Related to this, the Framework requires decisions to create the conditions in which businesses can invest, expand, and adapt. Also, it recognises that sites to meet local business and community needs in rural areas may have to be found beyond existing settlements. But consistent with local policy this support is qualified, and in these circumstances, it will be important to ensure that development is sensitive to its surroundings. For the reasons already stated that is not the case under this scheme. I have found that the development would not be sympathetic in this regard.
22. The appellant highlights the considerable investment at the site. Addressing this matter, the appellant's appeal statement describes the business as a canine centre. However, the development permitted by the 2022 Permission is a change of use for exercising dogs as a business to include play equipment and the evidence indicates that the site was sought for that use. Moreover, it seems to me that the investment made in the business was made cognisant of these circumstances.
23. It is asserted that the changes to the site are as a result of discussion with the Local Authority animal welfare officers and that the three shelters more centrally located in the site are necessary for animal welfare, particularly in respect of providing shade and protection in inclement weather. However, the 2022 permission already allows three shelters, and no compelling evidence has been advanced that those existing structures are unsuitable for protecting animals in difficult weather conditions.
24. The pool is stated as being essential, and I note that the business offers rehabilitation for injured dogs. However, I am not persuaded that this harmful development is the only means of accommodating this service. It is also indicated that shingle is necessary to prevent slipping and for staff safety. While finding no reason to dispute this, this factor does not account for the visually harmful collection of pens and structures now concentrated in this site. It seems to me that a much less harmful solution could address this concern. These matters attract very little weight for this reason.
25. The submitted information points to the permitted use supporting a successful business, and I find nothing suggesting that the lawful development at the site is unable to cater for the needs of the variety of dogs that the business attracts.

Given these circumstances, while the additional items sought in this appeal may be desirable, they do not appear to be necessary for either staff safety, animal welfare or indeed business long term viability.

26. In short, there is no compelling evidence that if this appeal was dismissed the business would fail, that animal welfare would be compromised or indeed that staff safety could not be addressed. The benefits outlined in respect of contributing to the vibrancy of the rural economy, providing jobs, career opportunities and support for those with protected characteristics in the community would continue and would not be unduly harmed if this appeal failed.
27. The new features may well generate additional income such that these existing benefits are amplified, but again no convincing evidence has been presented that this would be so. However, even if I accept that there would be some additional economic, social and environmental benefits, these would be small given the scale of the development.
28. Also, for the reasons set out, I am unconvinced that this harmful development is the only means of adapting and expanding the business at the site, and this factor counters the identified benefits. Therefore, the social, economic and environmental benefits would be limited at best, and do not outweigh the great weight that failing to conserve the landscape and scenic beauty of this part of the National Landscape attracts.
29. Other policies that are not in dispute have been highlighted. However, I have found significant visual harm occurring in the National Landscape and the development conflicts with policies related to this and the development plan when read as a whole.

Conclusion

30. Having regard to the development plan and other material considerations, including the Framework, the appeal should be dismissed.

A J Sutton

INSPECTOR