
Appeal Decision

Site visit made on 1 October 2025

by **E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal Ref: APP/V1260/W/25/3364875

Land off Christchurch Road, West Parley, Bournemouth BH23 6BB

- 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 Mr Henry Golland of Bruce's Doggy Day Care Ltd against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref is 8/24/0208/FUL.
 - The development proposed is change of use from agricultural to dog day care and erection of associated buildings and infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The second reason for refusal relates to the Biodiversity Gain Requirements (Exemptions) Regulations 2024. In their appeal statement the Council confirm that as the application was received by the Council prior to 2nd April 2024, they are satisfied that the application is not subject to statutory Biodiversity Net Gain requirements. As such the Council does not intend to pursue this reason for refusal. Based on the evidence before me I see no reason to disagree with its conclusions in this regard.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and the relevant development plan policies;
 - the effect of the proposal on the openness and purposes of the Green Belt;
 - whether any harm by reason of inappropriateness or any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development, effect on openness and purposes of Green Belt

4. The Framework at para 142 identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state at para 153 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework

establishes that development in the Green Belt is inappropriate unless one of the exceptions set out at para 154 applies.

5. Policy KS3 of the Christchurch and East Dorset Local Plan; Part 1 – Core Strategy (Adopted April 2014) sets out the most important purposes of the Green Belt in the area. These are to maintain an open area of land around the conurbation and to protect the separate physical identities of individual settlements. These are generally consistent with the purposes set out in the Framework.
6. The appellant contends that the proposed development falls within the recreation exception in the Framework. Para 154 h) lists certain exceptions which apply provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This includes v.) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).
7. The exception listed at para 154 b) is also relevant. This relates to the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
8. The proposal includes the change of use of the appeal site to a dog day care along with the provision of a car park, three shipping containers and fencing. It is proposed that this service would be provided for up to 40 dogs during the hours of 08:00 and 17:30 Monday to Friday. The majority of the dogs would be collected from their homes by 'doggy buses' with the remainder being dropped off and picked up by their owners from the appeal site.
9. Activities associated with the use would include exercise, play and socialisation outside, or inside in inclement weather, as well as sleeping and resting indoors. Shipping containers, clad in wood, would provide indoor space for dogs and staff welfare. Open space for the dogs would be provided across two fenced areas to the south and west of the shipping containers.
10. The proposed use would involve an element of recreation for the dogs, but this would be as part of their daily activities whilst being cared for. Whilst the activities associated with owning a dog could be considered to be recreational, owners would not spend time with their dogs at the appeal site. Staff would look after the dogs as part of their jobs, as opposed to a recreational activity. The primary purpose of the site would be to provide care for the dogs. Indeed, the Appellant's Operational Management Report (March 2024) states that the business operates like a children's nursery but for dogs and that during their days at the site, dogs would be cared for by the staff at the appeal site.
11. Therefore, the proposal does not constitute a change of use for outdoor recreation. Consequently, the appeal proposal would not fall within the exceptions listed under para 154 b) of the Framework or the examples listed in para 154h)v.
12. Furthermore, the proposal would not preserve the visual and spatial openness of the Green Belt due to the visual incursion of three bulky shipping containers into a currently open area. These would be visible from Parley Green Lane and Christchurch Road. The impact would be partially offset by the relatively compact layout of the site and the proposed landscaping, however the proposal would

nevertheless fail to preserve the openness of the site. Consequently, the exceptions at para 154b) and h)v. do not apply.

13. Since the application was determined, the Framework has been amended and as part of this the concept of grey belt was introduced. Para 155 of the Framework states that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where certain criteria apply, including that the development would utilise grey belt land and would not undermine the purposes of the Green Belt. The Council do not consider that the appeal site strongly contributes to purposes (a), (b) or (d) in para 143 and that it could be considered to be grey belt. They also consider that the development would not fundamentally undermine the purposes of the remaining Green Belt. I see no reason to disagree with the Council's assessment in this regard. As such criterion a) of para 155 applies.
14. Criterion b) requires that there is a demonstrable unmet need for the type of development proposed. A Needs Analysis Report (March 2024) has been prepared by the appellant which estimates that the appeal site is a location that would generate over 600 customers for a dog day care. This conclusion has been reached by comparing the demographics of the area with existing customers, considering existing services available to dog owners and the offering of the scheme. The report states that there are existing services in the area. Although these may not be directly comparable to the appeal scheme, this does demonstrate that there is some provision for dog care in the area. It has not been demonstrated that these are operating at or over capacity or that there are people wishing to access such services who cannot, due to lack of availability.
15. A market research survey was undertaken which demonstrated that the majority of respondents thought that the area would benefit from a countryside-based dog day care and would consider using it. However, these findings simply demonstrate support for the idea and do not expressly demonstrate an unmet need.
16. Consequently, it has not been adequately demonstrated that there is an unmet need for the type of development proposed and as such criterion b) of para 155 of the Framework does not apply.
17. Criterion c) states that the development should be in a sustainable location with particular reference to paras 110 and 115 of the Framework. Whilst the 'doggy bus' service would collect the majority of the dogs, some customers would drop their dogs at the site. The appeal site is unlikely to be within walking distance for these customers and public transport options would be limited. As such the appeal site cannot be described as being in a sustainable location and therefore criterion c) of para 155 does not apply. As such, when assessed against the criteria of para 155 of the Framework, the proposal would constitute inappropriate development.
18. I conclude that the proposal would be inappropriate development in the Green Belt having regard to the Framework and the relevant development plan policies.

Other Considerations

19. I have been provided with several examples of planning applications which have been permitted for dog day care uses in the Green Belt by other Councils. I have limited details of these proposals before me, however, even if there were

similarities between these examples and the appeal scheme, I am not bound by the decisions of other Councils in determining this appeal.

20. Based on the evidence before me the Home Farm¹ proposal which was approved by the Council related to a change of use of existing buildings. Furthermore, the proposed use included puppy, behavioural and training classes which are likely to involve the dog owners spending time with their dogs. As such, this example is materially different to that which is before me. Similarly, the proposal differs from livery stables, where owners would spend time riding and/or caring for their horses.
21. I have taken account of the Legal Note submitted with the appeal. This refers to an appeal which was allowed at Marsh Lane, in the Cheshire West and Chester Council area. the Legal Note states that the facility 'would be used to train dogs (typically by owners in their spare time for fun)'. The Note also refers to an appeal Sevenoaks. This is referred to as 'a change of use from agricultural field to a private dog walking and recreational facility'. Based on the limited evidence before me, the proposed uses in the appeals referred to would involve a greater recreational element including the owners spending leisure time with their dogs. As such, the implications in terms of the applicability of the exceptions within the Framework, differ significantly.
22. In terms of the benefits of the proposal; it would be a useful facility for prospective customers, would create a variety of employment and training opportunities for staff members, and help customers to work away from home during the day. Staff would make use of local facilities and services and customers would do so near their places of work. Further economic benefits would arise as a result of business rates and construction and maintenance jobs.
23. Social benefits would accrue through links with local charities and educational facilities and facilitation of dog ownership. The scheme would reduce risks associated with dogs being exercised in public whilst providing enrichment for the dogs.
24. The majority of the site would be maintained as grassland and biodiversity enhancements are proposed. Waste would be disposed of securely. Recycled materials would be used in construction and ambitions in terms of environmental credentials are set out in an Environmental, Social and Governance Report. Given the scale of the proposal, I attach moderate weight to the benefits of the scheme.
25. A Sequential Test Statement (March 2024) sets out 122 sites which were considered and discounted for the proposed use. Five sites were considered in detail, however the reasons for discounting them has been explained very briefly. Whilst I recognise that finding a suitable site is challenging, based on this limited information, I am not convinced that there are no alternative sites which would be less harmful to the Green Belt.
26. Although concerns were raised by interested parties, the Council did not refuse the appeal scheme on matters relating to noise, parking, transport and access. These are neutral factors in my consideration of the appeal.

¹ 8/23/0742/FUL

Green Belt Balance and Conclusion

27. I have found that the proposal would be inappropriate development in the Green Belt and therefore harmful by definition. The Framework requires that substantial weight should be given to any harm to the Green Belt.
28. The Framework makes it clear that harm to the Green Belt by reason of inappropriateness and any other harm resulting from the development must be clearly outweighed by other considerations for planning permission to be granted. In this case, I find that although there are matters which weigh in favour of the development, the weight of these other considerations does not clearly outweigh the harm which would arise to the Green Belt.
29. Consequently, I conclude that the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist in this case.
30. The proposal would not accord with the development plan as a whole and there are no material considerations to outweigh that finding. Consequently, for the reasons given, the appeal is dismissed.

E Pickernell

INSPECTOR