
Appeal Decision

Site visit made on 23 September 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 November 2025

Appeal Ref: APP/L1765/W/25/3364235

Land north of The Avenue, Alresford Hampshire

- 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 A Morgan-Giles, Tiggys Paddock against the decision of Winchester City Council.
 - The application Ref is 23/02918/FUL.
 - The development proposed is change of use of agricultural land to sui generis for secure dog walking, together with the instalment of stock fencing to secure the area.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On the copy of the application form before me details of the 'Site Location' are incomplete. Therefore, for the purposes of my Decision, I have taken details of this from the appellant's appeal form.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of neighbours.

Reasons

4. The appeal site comprises a sizeable agricultural field which is located north of and accessed via a private road off The Avenue.
5. There are mature trees within the appeal site and to the north. The east of the site is bound by a hedgerow, beyond this is Alresford rugby pitch, the Alresford Recreation Ground with its tennis courts, playing fields and the Arlebury Cafe are adjacent. To the southern boundary are two residential properties with gardens enclosed by stock fencing approximately 1m high together with several trees and some hedgerow.
6. The proposal seeks to utilise the appeal site as a secure dog walking/exercise paddock. The perimeter of the site will be enclosed by 2m high stock fencing with timber posts and netting.
7. I am advised the appeal site is used for grazing at present. Therefore, there is limited noise associated with this. To this end, and while I acknowledge that my visit represents a snapshot in time, I found the site and its surroundings to be a tranquil countryside location.

8. I also observed that there is a direct and particularly open relationship between the appeal site and the rear gardens associated with Arlebury Park Cottage and Arle Cottage. In particular, the former property includes a seating area near the shared boundary with the appeal site with minimal intervening screening.
9. In the above context, the proposed dog walking/exercise paddock is likely to generate some activity and associated noise. I have also been made aware that the Council has received noise complaints relating to fields within the District used for dog training and dog walking. As such, there are legitimate concerns about the potential for noise nuisance and the resulting impact on the living conditions of neighbours. To consider this, the proposal is supported with a Noise Impact Assessment ('NIA').
10. The NIA concludes that predicted noise levels from a worst-case scenario, assuming four dogs simultaneously barking, generally result in noise levels at the most affected residential receptor that are commensurate with the existing daytime ambient noise levels. Also, that operational measures are expected to reduce the risk of this worst-case scenario occurring.
11. However, the baseline noise survey was undertaken over a weekend that coincided with a rugby match on Saturday and children's training on Sunday. Although this was acknowledged in the NIA, ambient noise levels during weekends without such events are likely to be lower. Consequently, this assessment may have underestimated the potential noise impact during quieter periods.
12. Furthermore, I am unpersuaded that the NIA fully addresses the specific characteristics of dog-related noise, particularly the intermittent and high-frequency nature of barking, which can contribute to heightened annoyance levels. Unlike many predictable noise sources, dog behaviour is inherently variable. Some dogs may remain quiet, while others may bark persistently, with the potential for prolonged disturbance. The impact may be exacerbated when dogs are in groups or when activity occurs near the site's perimeter closest to residential properties. Additionally, human activity associated with the use of the field may vary in volume and character, introducing further uncertainty.
13. The NIA suggests that a solid imperforate fence along the southern boundary could offer some acoustic benefit. The effectiveness of such a barrier in controlling intermittent, high-frequency noise such as dog barking is uncertain, particularly in open rural environments where sound can travel unpredictably. Moreover, the proposal to install such a fence is an optional measure subject to neighbour agreement. This undermines its reliability as a mitigation strategy.
14. The appellant has referred to suggested planning conditions to safeguard the living conditions of neighbours. Suggested Condition 6, aims to limit the use of the site to a single dog walker with a maximum of four dogs at any one time, on the assumption that the dogs would originate from a single household and therefore be well-socialised. However, this would be difficult to enforce and does not reflect the likely operational reality. The site could be used by professional dog walkers managing dogs from multiple households, increasing the potential for behavioural incompatibility and sustained barking. Moreover, secure fields of this nature may attract owners of reactive or poorly socialised dogs seeking controlled environments, further undermining the assumption of harmonious behaviour.

15. As the facility would operate on a self-managed basis, there is no assurance that poor dog behaviour would be effectively monitored or controlled.
16. Condition 5 restricts operating hours and prohibits the use of audible whistles; however, it does not address the unpredictable nature of dog behaviour particularly barking, which can occur at any time during permitted hours and is difficult to control. The close proximity of residential properties, especially their rear gardens, to the site means that even short bursts of high-frequency noise, such as persistent barking, can cause disproportionate disturbance, especially in a tranquil rural setting.
17. Condition 7 proposes a management plan; to manage amongst other things, the use and noise associated with this. However, in the absence of any detailed information for this, I cannot be certain about the effectiveness of such a plan.
18. In light of the above and in particular the number of variables and the proximity of sensitive receptors, there remains a risk of adverse noise impacts that cannot be reliably mitigated. This uncertainty weighs against the proposal in terms of safeguarding residential amenity.
19. As such, while the proposed use may be suitable for a countryside location, in principle. In this case, it has not been satisfactorily shown that noise from this would not have a detrimental impact on neighbouring residents. Therefore, although Policy MTRA4 of the of the Winchester Local Plan Part 1 – Joint Core Strategy, says that development in the countryside may be permitted if it has an operational need for a countryside location, amongst other requirements, this is subject to minimal environmental impact. As such, the proposal fails to accord with this Policy.
20. Consequently, the proposal also fails to accord with Policies DM13, DM17 and DM23 of the Winchester District Local Plan Part 2 – Development Management and Site Allocations. Together and amongst other things, these policies say that development may be permitted for new or expanded leisure and recreational facilities where a countryside location is justified, provided it aligns with the Development Plan and does not result in unacceptable visual or noise intrusion. Additionally, proposals must avoid causing harmful noise pollution to neighbouring properties and must preserve the rural tranquillity of the area, including limiting the impact of lighting and noise.

Other Matters

21. Neighbours have expressed concerns about the proposal resulting in harm to their living conditions as a consequence of loss of privacy. However, as I am dismissing this appeal for another factor relating to living conditions, it is not necessary for me to consider this further.
22. The appellant refers to a dog-walking facility in Littleton that was supported by the Council. While there may be some similarities with the appeal site, the Littleton site is set within a different context. It lies in a more built-up area, surrounded by residential properties and a public house. Crucially, the relationship between the Littleton site and neighbouring gardens is not as open or immediate as that of the appeal site. Moreover, comparisons based solely on distance and location are misleading without accounting for factors such as building orientation, prevailing

wind direction, and boundary characteristics, all of which can significantly influence noise impact.

23. Additionally, based on the information available, the methodologies used to assess noise impact at the two sites differ. Therefore, the approval of the Littleton site is not directly comparable to the scheme before me and does not alter my conclusions.

Conclusion

24. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR