
Appeal Decision

Site visit made on 19 November 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/P0119/W/25/3367827

Land at Rectory Lane, Cromhall, South Gloucestershire GL12 8QD

- 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 Alan Bennett against the decision of South Gloucestershire Council.
 - The application Ref is P24/02362/FUL.
 - The development proposed is described as 'retrospective change of use from agricultural land to a dog walking field'.
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Decision

1. The appeal is allowed and planning permission is granted for installation of access track and 3no. areas of hardstanding/parking areas to facilitate change of use of land from agricultural to 3no. dog walking fields (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) at Land at Rectory Lane, Cromhall, South Gloucestershire GL12 8QD in accordance with the terms of the application, Ref P24/02362/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) Unless within 1 month of the date of this decision an operational statement is submitted to and approved in writing by the local planning authority, and implemented within 1 month of the local planning authority's approval, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as an operational statement has been approved. The development shall thereafter only be carried out in accordance with the approved statement. The operational statement shall include details of the operational times, maximum daily numbers of bookings, maximum number of visitors per session, and the management of the facility.
 - 2) Within 3 months of the date of this decision a planting plan shall have been submitted to and approved in writing by the local planning authority, and shall be implemented within 3 months of the local planning authority's approval of that plan. The planting plan shall include position, species, density and size of all planting at the appeal site, and a 5-year landscape maintenance schedule covering the establishment and maintenance of all planting that shall be adhered to for its duration. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained for the duration of the development.

Preliminary Matters

2. The proposed development has already taken place and the appeal is determined on that basis. The description of development in the heading above is taken from

the original planning application form. Whereas the description used in the decision above is taken from the appellant's appeal form and is consistent with the description used on the Council's decision notice.

3. The Council's second reason for refusal related to a lack of information on the effect of the proposal on the setting of a scheduled monument known as 'Minor Romano-British villa 300m north west of Tapwell Bridge' (Ref 1003045). The appellant's appeal submission included a Heritage Impact Assessment (by Llewellyn Harker Lowe, June 2025). This assessed the setting of the scheduled monument and the extent of any impact of the appeal scheme. In light of information within that assessment, the Council considers that the proposal does not harm the setting of the scheduled monument. Therefore, it no longer wishes to contest the second reason for refusal. Having regard to the evidence before me and my own observations, I concur. Therefore, this is not a main issue within the appeal.

Main Issue

4. The main issue is whether the location of the appeal scheme is acceptable with regard to its accessibility by sustainable transport modes and its effect on highway safety.

Reasons

5. Each of the three paddocks is said to be available for bookings of 50 minutes for a maximum of six dogs at any one time and only during daylight hours. The appellant's Technical Note (RLRE Consulting Engineers, June 2025) advises that each paddock takes no more than one booking per hour. In the event of all three paddocks being booked at the same time, this is said to generate a maximum of six two-way vehicle movements in a single hour (three arrivals and three departures).
6. Policy PSP44 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) (Local Plan) includes criteria for recreational developments outside urban areas such as this. It includes that where proposals are likely to be major travel generators, they should be on sites highly accessible by non-car modes. As visitors to the appeal site will arrive with their dogs, it seems to me that travel to the appeal site is likely to be by car rather than public transport. Given that the overall traffic on local roads is relatively low, even a small increase in traffic associated with the appeal scheme results in that traffic being not an insignificant proportion of total traffic. Nonetheless, given the scale of the appeal scheme and the limited number of trips that it is said to generate, I find that it is not a major travel generator in the context of Policy PSP44.
7. Due to the rural nature of the appeal site's surroundings, access to the appeal scheme is via narrow lanes where surface water flooding is not uncommon. Given the spacing of passing places, vehicles will sometimes have to reverse to allow an on-coming vehicles to pass. The narrow lanes are also said to present a challenge when vehicles encounter cyclists on the route. In addition, in the absence of verges, pedestrians are required to walk in the carriageway on roads without lighting. However, narrow lanes, surface water issues and the need for caution where there are cyclists and pedestrians in the road are common features of driving on rural roads. Moreover, as the appeal scheme is not lit, traffic generated by it is likely to be largely confined to daylight hours. Also, I see no reason to

conclude otherwise than that cyclist and pedestrian use of local roads in the vicinity of the appeal site is relatively low level, taking into account signposted cycle routes. In addition, no substantive evidence indicates that road safety is a particular concern in this location, even with the appeal scheme having been in operation. Furthermore, it seems to me that frequent users of the appeal scheme will quickly become familiar with the need for caution and traffic speeds in the locality were found to be reasonably low.

8. Policy PSP28 of the Local Plan supports proposals for business development outside urban areas and settlement boundaries where certain criteria are met. Policy PSP28 Part 1(f) requires that the proposal is of a scale that is consistent with its function, use and rural location. Dog walking fields require a good deal of space to enable dogs to run off the lead. Consequently, the nature of the use is suited to a rural location. Moreover, as reasoned above, its modest traffic generation is of a scale that is compatible with its location. Therefore it complies with Policy PSP28 Part 1(f).
9. Therefore, in the particular circumstances of this case, the location of the appeal scheme is acceptable with regard to its accessibility by sustainable transport modes and its effect on highway safety. For the reasons given, it thus complies with Local Plan policies PSP44, PSP28 Part 1(f) and PSP11, and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (December 2013). Together these seek to ensure proposals are located in suitably accessible and safe locations.

Other Matters

10. Concerns have been raised by local residents about the retrospective nature of the planning application. However, the timing of the application does not alter my consideration of the planning merits of the appeal scheme.

Conditions

11. I have considered the suggested conditions and imposed them where they meet the tests set out in Paragraph 57 of the Framework, amending where necessary for the sake of simplicity, clarity and precision. A time limit condition is not necessary as the scheme has already been implemented. As the appeal scheme is retrospective, I have allowed the appeal on the basis of the submitted plans.
12. A condition requiring an operational statement is necessary to ensure the appeal scheme is managed to avoid unacceptable harm to highway safety. There is a timetable for compliance because permission is being granted retrospectively. The condition will ensure that the development can be enforced against if the requirements are not met. The operational statement does not need to include details of advertising in addition to specifying the maximum daily numbers of bookings and visitors per session. A condition requiring a planting plan is necessary in the interests of achieving and maintaining a suitable effect on the character and appearance of its surroundings.
13. A condition requiring provision of an improved footpath is not necessary to make the appeal acceptable and therefore is not imposed. Also, a condition on electric vehicle charging provision is not imposed as this requirement is based on an emerging policy rather than the adopted development plan. Consequently, such a condition is not necessary to make the appeal scheme acceptable.

Conclusion

14. There are no material considerations that indicate that the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Rachel Hall

INSPECTOR