



Appeal Decision

Site visit made on 12 January 2026

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 January 2026

Appeal Ref: APP/E2001/W/25/3375209

Land North West of Boynton Closes, Church Lane, Reedness, East Riding of Yorkshire DN14 8DZ

- 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 Richard Strawson, W.H. Strawson (Notts.) Limited, against the decision of East Riding of Yorkshire Council.
- The application Ref is 25/00632/PLF.
- The development proposed was originally described as “This planning application has been submitted for the change of use of 1.55 hectares of an arable field into a dog exercising area and car park at Land North West of Boynton Closes, Church Lane, Reedness, DN14 8DZ. The proposal will involve customers booking 30 or 60 minute sessions using an online booking system. They will then have exclusive use of the field for the duration. Only customers who have made a prior booking will be able to use and access the field. The maximum number of dogs per booking will be restricted to six at any one time.

Design Proposal: This proposal involves developing a secure dog exercising area alongside necessary parking and access facilities. Below is a summary of the plan:

1. Secure Dog Exercise Area:

Size: 1.48 hectares.

Details: This section of the agricultural field will be fenced to ensure safety and security for dogs.

2. Car Park:

Size: 300 square metres.

Details: This area will be surfaced with hardcore and fenced to provide secure parking facilities.

3. Access Road to the Car Park:

Size: 373 square metres.

Details: This will be surfaced with hardcore but not fenced, allowing access.”

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against the Council. This application is attached as a separate Decision.

Preliminary Matters

3. The address of the appeal site differs slightly on the application form to that used on the appeal form and on the Council’s decision notice. I have used the address sited on the decision notice as this is a more precise reflection of the site location.

Main Issues

4. The main issues are:

- The effect of the proposed development on the character and appearance of the appeal site and surrounding area; and
- Whether or not sufficient information has been provided in relation to protected species and designated sites.

Reasons

Character and appearance

5. The proposal seeks planning permission for the change of use of an arable field to dog exercising area, erection of fencing and formation of a car park. The appellant highlights that the development plan supports rural recreation uses. Furthermore, they assert that there are no protected landscapes, heritage assets or residential properties with direct views of the site.
6. The site is in a remote area, surrounded by flat, open fields. The area's intrinsic character derives from its low lying flat and intensively farmed arable landscape, scattered farmsteads and villages. It is defined by open, large-scale landscape with few trees or woodland, extensive views across the flat open landscape, large field patterns, with fragmented hedgerow and ditch field boundaries.
7. The surrounding land, and wider landscape, is not characterised by features such as the proposed boundary fencing. Contrary to that suggested by the appellant, and based on the information presented, the proposed fencing would not be permitted development due to its location adjacent to the highway and height.
8. The introduction of fencing, to the extent and height proposed, would introduce an alien feature within the landscape. The site is immediately adjacent to Church Lane and a public right of way. Therefore, the development would be conspicuous from public vantage points. The proposal would not be in keeping with the open and rural character of the area, and would detract from the extensive views afforded across the flat, open fields. Consequently, the development would fail to integrate sensitively into the existing landscape and would not preserve the special character and intrinsic value of the countryside.
9. For these reasons, in this location, the proposed change of use, and associated fencing and car parking area, would have a harmful effect on the character and appearance of the appeal site and surrounding area. Accordingly, it would conflict with Policies S4, ENV1 and ENV2 of the East Riding Local Plan Update 2025 – 2039 (2025) (LP). These seek, amongst other things to ensure development in the countryside respects the intrinsic character of their surroundings.
10. In addition, it would not accord with paragraph 135 of the National Planning Policy Framework (the Framework) which seeks to ensure that developments will add to the overall quality of the area and are sympathetic to local character. It would also conflict with the aims of parts C1, C2 and I1 of the National Design Guide which seek to ensure new development relates well to the site itself and the surrounding context beyond the site boundary.

Protected species and designated sites

11. The appeal site is in close proximity to the Humber Estuary Special Protection Area (SPA), Special Area of Conservation (SAC), the Humber Estuary Ramsar site and Humber Estuary Site of Special Scientific Interest (SSSI). Natural England's

consultation response sets out a list of information that should be obtained to support a Habitats Regulations Assessment (HRA). This includes surveys and a desk-based assessment. The Council's nature conservation officer has also requested that a shadow HRA is provided to inform an HRA, and they set out what the report should include.

12. Considering the consultation responses, it is incumbent upon me, as the competent authority, to consider whether the proposal would be likely to have a significant effect on the integrity of the SAC, SPA, SSSI and Ramsar Site. There is a public right of way adjacent to the site. The proposal could result in an increased use of the footpath and overall increase in recreational activity taking place within the Habitats Sites. Thus, the proposal could result in increased disturbance through recreational activity. The Habitats Sites support an internationally important assemblage of waterbirds. The scheme has the potential to impact on birds using functionally linked land associated with the Habitats Sites and to affect the European designated sites' interest features. There would therefore be a likely significant effect on the qualifying features of the Habitats Sites.
13. On the basis of the evidence before me, and applying the precautionary principle, I cannot be satisfied, beyond all reasonable scientific doubt, that there would be no adverse effects upon the qualifying features of the Habitats Sites. As a result, I must carry out an Appropriate Assessment to determine whether the proposal would have an adverse effect on the integrity of the Habitats Sites. There are no measures before me that would assist in avoiding or reducing the effects set out above. Consequently, I conclude that the development is likely to adversely effect the integrity of the designated Habitats Sites.
14. The drains forming the north, east and southern boundaries of the site have the potential to support water voles, which is a European Protected Species. The Council's nature conservation officer has requested that an existing data search is undertaken, an ecologist should assess the drains suitability for water voles and a species specific surveys area should be undertaken. In the absence of this information, the appellant has failed to demonstrate that the proposal would avoid harming the protected species, water voles.
15. In addition, the Council's nature conservation officer requested further information on biodiversity net gain to agree the baseline habitat value. The appellant contends that no specific ecological harm was identified, and note the site's low ecological value, the absence of works to the ditch habitats, and the Biodiversity Net Gain Statement indicates enhancement. They have not provided additional evidence relating to the consultation responses, but state that they were willing to provide clarification or surveys, and suggest the outstanding matters could be resolved by planning conditions. However, conditions would not provide the necessary certainty required, and these matters do not alter my findings above.
16. Although the screening direction concluded that the development is not Environmental Impact Assessment (EIA) development, this does not remove or diminish the requirement to comply with other legislation, including those under the Conservation of Habitats and Species Regulations 2017 (as amended) which must be undertaken.
17. For these reasons, insufficient information has been provided in relation to protected species and designated sites. Therefore, it cannot be concluded that the

proposal would not have an adverse impact on protected species or Habitats Sites. Consequently, the proposal conflicts with Policy ENV4 of the LP which states that applicants will be required to submit appropriate levels of evidence to enable the council to undertake a HRA of the proposal. Furthermore, development resulting in loss or significant harm to a local site, or habitats or species supported by local sites, whether directly or indirectly, will only be supported if it can be demonstrated that there is a need for the development in that location and the benefit of the development outweighs the loss or harm.

18. It would also conflict with chapter 15 of the Framework which seeks to conserve and enhance the natural environment.

Other Matters

19. The appellant highlights that the use is fully reversible should government policy on food production change. Furthermore, they set out benefits of the proposal and that there have been no objections from the Parish Council or public. They go on to state that the proposal is supported by the Framework and development plan, which support a prosperous rural economy and place positive weight on small scale rural diversification and local enterprise. The appellant also sets out a list of suggested planning conditions, and the need for the proposal. Nevertheless, the other matters highlighted, including benefits and conditions, do not alter or outweigh the conclusions I have reached on the main issues set out above.

Conclusion

20. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L Wilson

INSPECTOR