

**AGENDA ITEM NO. 9/1 (a)**

<b>Parish:</b>	<b>Denver</b>	
<b>Proposal:</b>	<b>Change of Use of Agricultural Land to Sui Generis for secure dog walking</b>	
<b>Location:</b>	<b>Land To The East of Ryston Road Denver Norfolk PE38 0DP</b>	
<b>Applicant:</b>	<b>Tiggys Paddock</b>	
<b>Case No:</b>	<b>25/01552/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Helena Su</b>	<b>Date for Determination:</b> <b>29 December 2025</b> <b>Extension of Time Expiry Date:</b> <b>6 February 2026</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Hodson

**Neighbourhood Plan:** No

### **Case Summary**

The application is for the change of use of approximately 1.04ha agricultural land to a secure dog walking (sui generis) use at land to the east of Ryston End in Denver.

The site is located to the east of Ryston Road. The application site comprises of an existing access from Ryston Road and 1.04ha of agricultural land. The wider setting of the site encompasses agricultural land bound by woodland to the west, protected under a Tree Preservation Order (reference TPO/00085/W1) and trees along the north, east, and south boundaries. Furthermore, Denver Footpath 21 is located along the south of the application site.

### **Key Issues**

Principle of development  
 Form and character  
 Impact on neighbour amenity  
 Highway safety  
 Ecology and biodiversity  
 Any other matters requiring consideration prior to determination of the application

### **Recommendation:**

**APPROVE**

## **THE APPLICATION**

The application is for the change of use of approximately 1.04ha agricultural land to a secure dog walking (sui generis) use at land to the east of Ryston End in Denver.

The site is located to the east of Ryston Road. The application site comprises of an existing access from Ryston Road and 1.04ha of agricultural land. The wider setting of the site encompasses agricultural land bound by woodland to the west, protected under a Tree Preservation Order (reference TPO/00085/W1) and trees along the north, east, and south boundaries. Furthermore, Denver Footpath 21 is located along the south of the application site.

The dog walking field would be run by a business called 'Tiggy's Paddock'. The dog walking field would be available for bookings, made ahead of time via a dedicated website, for up to four dogs per visit between two households, for either 30- or 60-minute slots. The business would operate between 7am - 8pm on Monday to Saturdays and 8am - 8pm on Sundays and Bank/Public holidays in the summer months, and 8am - 4pm Monday - Sunday in the winter months. As the business would be open during daylight hours only, no lighting is proposed. Parking would be provided on the hardstanding created on the site to facilitate the development.

## **APPLICANT/PLANNING AGENT'S SUPPORTING CASE**

### **The Site**

The proposed site is located in the village of Denver, with the A10 running alongside the eastern boundary and Ryston Road to the western side of the site. There is residential development along Ryston Road, the majority of which is on the opposite side of the road to the site.

### **Access**

The original proposal was to use an existing gated access into the site from the A10, however Highways at Norfolk County Council [NCC] objected to this due to the intensification of the existing access and highway safety issues.

The proposal was amended to relocate the access from Ryston Road where there is another existing access into the site, and this was deemed a suitable alternative by NCC subject to conditions. [Noted that the Parish Council maintain their objection regarding the access].

### **Public Right of Way [PROW]**

There is a PROW that runs from west to east [from Ryston Road, towards A10]. Concerns were raised that the proposed secure dog walking area could clash, a Highway Boundary plan for that section of Denver Footpath 21 was requested which showed there would be no impingement on the PROW and the objection has been withdrawn.

### **Ecology and Biodiversity**

No objection subject to conditions.

### **Community Safety & Neighbourhood Nuisance Officer [CSNN]**

Concerns were raised of the possibility of dogs barking at dogs being walked along the PROW. A suggestion by the CSNO for a solid fence between the secure dog walking paddock and the PROW was suggested, however visually this would be incredibly intrusive. A management plan will be in force and in the unlikely event that an issue is reported, the customer in question will be refused any future bookings.

Planning Committee  
02 February 2026

### Summary

The proposal is in an accessible location, offering a facility that is not currently available in this area. A business plan demonstrated that there is an obvious gap in the market for this in demand facility due to the huge increase in dog ownership over the last few years. The proposal includes tree planting which will enhance the site, creating new habitats and increasing biodiversity value. We have worked with The Borough of King's Lynn & West Norfolk throughout the planning process to ensure that concerns raised have been addressed and that the proposal complies with relevant planning policies both national and local, for that reason we would politely ask that an approval is granted.

### PLANNING HISTORY

None

### RESPONSE TO CONSULTATION

#### Parish Council: OBJECT

*Initial comments made on 22 October 2025:*

The Parish Council OBJECTS to this application.

The proposed access onto the highway raises safety and traffic concerns. The application states that there will be only 10 vehicle movements per day; however, the Council believes this figure is inaccurate and significantly underestimated. Customers are likely to arrive in more than one vehicle, which would increase the number of daily traffic movements.

In addition, the Council notes that the on-site dog waste bins will require regular emptying by the local authority, further adding to the number of vehicle visits to the site.

For these reasons, the Parish Council does not support the application as currently proposed.

*Comments following amended plan made on 19 November 2025:*

Denver Parish Council do not feel that the changes to the highway access have addressed the issues raised and so OBJECT to this application.

**Highways Authority: NO OBJECTION** subject to condition.

With reference to the amendment consultation and plan 100 Rev C, it is observed that the applicant has chosen an alternative point of access which would access onto Ryston Road as opposed to the A10. From an adopted road network consideration point, this revised access would be considered acceptable.

**Public Rights of Way: NO OBJECTION**

Further to the additional submitted information, PROW are content to remove our holding objection to this application.

Planning Committee  
02 February 2026

The Public Right of Way, known as Denver Footpath 21 is aligned adjacent to the Western boundary of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

**Internal Drainage Board: NO OBJECTION** subject to compliance with the Board's Byelaws.

**Historic Environment:** There are no known archaeological implications.

**Natural England: NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

**Community Safety and Neighbourhood Nuisance: OBJECT.** However, suggest conditions:

*Initial comments made on 30 October 2025:*

The applicants have not considered the impacts on residential amenity and have not shown within the submitted documents how amenity will be protected from noise impacts associated with the proposed change of use of the land.

The residential plots which are close to the site boundary are 8.66m and 14.15m distance away (measured from Uniform). Neither have any solid barriers between them and the site. Having up to 10 dogs is of huge concern with respect to the noise impact.

The hours are stated to be until 9pm or 8pm, or sunset, and they state no lights/a light assessment will be necessary. As sunset does not fall at 30 minute intervals, the closing times are unclear (and would change frequently during the winter period) - lighting is likely to be required for user safety, so details are required/clarification on opening times is needed.

As per the principles of the 'agent of change', the impacts of the use on residential amenity must be addressed.

*Comments following amended plan made on 1 December 2025:*

Many users of secure dog paddocks use these because their dogs are reactive to people and/or other dogs (including being fearful of them) and therefore these fields provide a safe space for dogs to exercise without encountering other dogs. Due to the close proximity of the footpath (which public comments on this application show is a regular (dog) walking route), CSNN remain concerned that dog barking noise will occur, and more so than CSNN previously anticipated, which could impact on residential amenity for number 34, 'Hill House' and other dwellings on Ryston Road. There's an approximate 115m stretch where dogs in the field could react to dogs and/or people walking by, and likewise barking could also be generated by dogs passing the field.

CSNN have noted the NMP submitted via email on 3 November. Some elements are helpful, but ultimately, especially considering the path alongside the entire southern boundary of the proposed field, CSNN remain concerned that the proposal will impact on residential amenity from noise of dogs and people (owners calling back dogs etc). Such noise sources are the most difficult to regulate and control - noise will carry through the air, especially early mornings and late evenings when background noise levels are usually low -

Planning Committee  
02 February 2026

and this is likely to generate disturbance and detrimental impacts on residential amenity, causing complaints, which may not reach the thresholds for Statutory Nuisance levels, but would nonetheless adversely impact on amenity for the residents beyond the site. There remains concerns regarding the potential noise impacts.

It would be CSNN's recommendation that the site is enclosed with a solid boundary to the south (with a slight wrap-around at either end), and is set further back from the path (to avoid conflict with barking/dogs against the fence v users of the path) to create a greater separation distance.

If you are minded to approve this despite our concerns over the potential impact from barking, there really should be some means of preventing dogs from seeing users of the path (trees/planting will not be appropriate), and the MNP will need to be produced and submitted as a separate document (for reference, and to allow compliance with via a planning condition).

CSNN confirm, if this is approved, CSNN would expect planning conditions to:

limit the number of dogs to 4 per visit;

limit the number of cars to 2 per visit;

ensure bookings are controlled with allocated time slots and customer details being taken/retained;

have a full complaints process in place which should be included in the NMP and also included on site signage;

have a more detailed NMP, to include all these elements;

control the hours of use to 0700-2000 Monday to Saturday & 0800-1900 on Sundays/Bank/Public Holidays during the Summer time, and 0800-1600 Monday to Sundays/Bank/Public Holidays during the Winter time;

prohibit the installation of any external lighting at the site without the details having first been submitted for assessment and prior approval from the LPA.

**Senior Ecologist: NO OBJECTION** subject to BNG conditions.

The following documents have been submitted since the Ecologist's previous consultee comments on 12/11:

Statutory Metric (Tristanna Boxall [South Coast Ecology], 14/11/2025).

The baseline has been updated to add the clarity requested on grassland and reflect the latest project plan. The baseline is now considered to be accurate, so the Ecologist can remove their objection.

There are still issues with the post development values but these can be dealt with at the Discharge of Condition stage of the application. The following issues need to be resolved before the Metric and HMMP are submitted at that stage:

Trees - The user comments state '20 native trees' which correlates to an area value input for 27 medium sized trees. The information is therefore conflicting. As previously stated the trees should be inputted as small given that no evidence or justification for a higher size class is outlined and the proposed spacing is tight.

Trees - The trees are inputted as moderate level strategic significance. No justification has been provided for this and since the publication of the LNRS on 31st October 2025, this category no longer exists.

A Habitat Management and Monitoring Plan cannot be approved until a Biodiversity Gain Plan has been approved. Although a HMMP has been submitted, a requirement for one still

Planning Committee  
02 February 2026

needs to be a condition on any planning consent. The HMMP should include the proposed commencement date of the development.

### **Arboriculture Officer: NO OBJECTION**

However, the Arboriculture Officer has some concerns regarding the detailed design and its potential impact on the surrounding landscape and nearby trees protected by a Tree Preservation Order.

The extent and form of the proposed fencing has the potential to appear visually intrusive within what is otherwise a very attractive and open landscape. Further consideration should be given to the height, alignment and specification of the fencing, and whether a less visually dominant solution could be achieved that better reflects the quiet and rural character of the area.

The Arboriculture Officer is also concerned about the quality of the submitted tree planting proposals. The species mix is not typical of the area, there is no planting specification or any establishment measures to demonstrate that the planting would provide meaningful landscape integration or appropriate mitigation for the visual impact of the development. Any planting should be of an appropriate scale and species for the location, designed to complement the existing landscape and to establish successfully in the long term.

In addition, it should be ensured that the installation of fencing and any associated works avoid encroachment into the Root Protection Areas of the nearby TPO-protected trees. No excavation, ground level changes or compaction should take place within these areas.

If consent is to be granted please consider conditions for tree protection and tree planting and establishment details and implementation.

### **REPRESENTATIONS:**

**THIRTEEN** comments of **OBJECTION** and **SEVEN** comments in **SUPPORT**:

**Objection** comments summarised:

- Traffic around the school time on Ryston Road - concern with additional traffic.
- Plenty of open fields and local woods for dog walking.
- Concern for nature and wildlife
- Visual impact of fencing over the field
- Losing the space for public and walkers would be a shame
- Land is too close to a footpath and would allow roaming dogs to conflict with other dogs on the footpath - this could result in a dog ending up on the A10.
- Dog walking fields should be in more rural areas not adjacent to houses and footpaths.
- Proposal would spoil views from the users of the footpath.
- Urban paraphernalia (bins, fencing, gate, car parking and signs) would ruin the rural surroundings.
- Norfolk has plenty of public footpaths, bridleways, riverbanks, forests and beached to walk dogs.
- Assumption that the fenced in area is aimed at unsociable dogs and the Council should not encourage the public to own such dogs and allow them to ruin local people's peace, quiet and security.
- Change of use to commercial would be detrimental to local community.

Planning Committee  
02 February 2026

- Increase noise, disturbance and traffic.
- Not in character with the area.
- Use of the access would have an impact on surrounding neighbours privacy, security and use of their home freely.
- Activity on this site would directly overlook homes and gardens throughout the day.
- Proposal conflicts with DM15, LP21, LP41 and DM2 of the local development plans.
- The area is known as Ryston Park. It has been an open area, used as pasture and grazing for generations. To consider splitting the area to the extent where large, unpredictable dogs can be contained will disrupt and ruin the openness of the local countryside dramatically.
- Neighbouring stables to be reinstated with the possibility of a small paddock - the dogs will cause distress to the animals.
- The Park is rich with wildlife including muntjac, pheasants and smaller creatures. Although it is suggested that the area is enclosed, these animals cannot be prevented from entering the area, becoming entrapped and/or being at risk of attack.
- To the other side of the Village, approximately two miles away, there is already a seven acre field providing a further, secure, dog walking facility. This is already available for dog walkers to hire privately, and it has plenty of availability for further customers. It has an online diary system where this can be viewed and verified.

**Support** comments summarised:

- As a local dog owner, would like to see more enclosed places locally to let dogs run free.
- As someone who currently uses this field regularly with a dog on the lead, it is not currently widely used by public other than the footpath which would not be obstructed.
- Field would not be visible from road users
- Would not generate large amounts of traffic
- Large housing estates have reduced viable dog walking options.
- Local access to open space for walking our dogs or public walking generally has been much reduced by town infrastructure.
- It is really important for us and our sense of identity in west Norfolk to have access to open walking space from the doorstep, rather than having to drive.
- Seems to be a diversification of the local ecosystem and to support biodiversity by replacing agricultural land growing a single crop
- It will provide a valuable and safe environment for off lead exercising of dogs.
- For those living in Denver and Downham Market, this would be a walkable distance.
- Having an enclosed area where your dog can play is also hard to come by in Downham Market, so it would also allow dog owners to let their dog run/play off lead with peace of mind.

**KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040**

**LP01** - Spatial Strategy and Settlement Hierarchy Policy (Strategic Policy)

**LP06** - Climate Change (Strategic Policy)

Planning Committee  
02 February 2026

**LP07 - The Economy (Strategic Policy)**

**LP18 - Design & Sustainable Development (Strategic Policy)**

**LP19 - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)**

**LP21 - Environment, Design and Amenity (Strategic Policy)**

**LP23 - Green Infrastructure (Strategic Policy)**

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations are:

- Principle of development
- Form and character
- Impact on neighbour amenity
- Highway safety
- Ecology and biodiversity
- Any other matters requiring consideration prior to determination of the application

### **Principle of Development:**

LP07 of the Local Plan 2021-2040 supports rural economy where the development is appropriate in size and scale to the local area; adjacent to the settlement; and the proposed development and use will not be detrimental to the local environment or local residents.

Paragraph 89 of the NPPF recognises that local businesses in rural areas may be found beyond existing settlements in locations not well served by public transport. In these circumstances it would be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

Denver is a Tier 5 (rural village) settlement under the Local Plan 2021-2040. The application site is adjacent to the development boundary of Denver and can be reached by footpaths throughout the village, and as far as Downham Market. The proposal is modest in scale, with the Planning Statement indicating a low-level use, with bookings offered in 30- or 60-minute slots, for up to two vehicles and a maximum of four dogs. This is not expected to have an unduly detrimental impact upon neighbour amenity that would justify a refusal in this case. This is discussed in detail below.

The proposal would comply with LP07 and provisions of the NPPF for a rural based business.

Planning Committee  
02 February 2026



## **Form and Character:**

Policies LP18, LP19 and LP21 of the Local Plan 2021-2040 seeks to ensure that all development in the borough is high quality design and conserve and enhance the amenity of the wider environment, reinforcing the distinctive character areas identified in King's Lynn and West Norfolk Landscape Character Assessment. This involves assessing the scale, height, massing, materials and layout of a development to ensure it responds sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

This is reiterated in paragraph 135 of the NPPF which states that planning decisions should ensure development will function well and add to the overall quality of the area for its lifetime, are visually attractive, sympathetic to local character and history, maintain a strong sense of place, optimise the potential of the site, and create safe, inclusive and accessible places.

The application site is currently an open agricultural field. The wider site is bound by a woodland to the west which is protected under a Tree Preservation Order (TPO) (reference TPO/00085/W1) and linear group of trees to the north, south and east.

Third parties and the Arboricultural Officer have raised concern regarding the visual impact of the development, in particular, the installation of fencing. The Arboricultural Officer has raised further concerns about the proposed landscaping scheme.

Regarding fencing, the proposal involves the erection of an approximate 2m high stock mesh fence, with finer mesh to the bottom half, and timber posts along the north, west, south and east boundaries. It is important to consider that the Applicants could currently erect gates and fences up to 2m tall under Schedule 2, Part 2, Class A of the Town and Country (General Planning Development) Order 2015.

CSNN has recommended that the southern boundary treatment be solid to prevent views of dogs within the site from users of Denver Footpath 21, and vice versa. However, when balancing the potential visual impact of a solid fence against the need to manage noise, the proposed stock mesh fence is considered less intrusive within the landscape. It is also noted that noise from dogs and pedestrians could occur irrespective of the proposed facility, as the site and surrounding land, including the public footpath, are currently unrestricted.

It is accepted that the introduction of the stock fence would alter the existing open countryside character experienced by users of Denver Footpath 21, which runs west - east to the south of the site. Views from Ryston Road would be limited due to substantial screening provided by woodland to the east and within the curtilage of No 34. The mesh design, with timber posts and finer mesh to the lower section, would help soften the visual impact and maintain some views across the field.

As no details regarding the colour or finish of the fence have been submitted, a condition requiring full details to be approved prior to installation is recommended. This will ensure the boundary treatment integrates appropriately with the surrounding landscape and addresses the concerns raised by the Arboricultural Officer and third parties.

Whilst the comments of the Arboricultural Officer regarding landscaping is noted, to address this, a condition for a tree planting scheme will be proposed as a condition. Furthermore, as the application site lies, at its closest point, approximately 9m from the woodland covered by the tree preservation order (TPO/00085/W1), to ensure the fence and landscaping does not

Planning Committee  
02 February 2026

impact existing trees surrounding the site, a condition for a tree protection scheme will also be included.

A small area of hardstanding, which would measure approximately 10m wide and 13.7m - 15.6m deep (114 square metres in area), is proposed to the south-west corner of the site to provide onsite parking. The hardstanding would be made up of 300mm deep excavated land filled with compacted scalpings. The hardstanding would be separated from the access by a 2m high gate and the proposed fencing. The hardstanding would be located near other areas of hardstanding and therefore would be consistent with the existing situation and would not give rise to visual amenity issues.

Regarding form and character, whilst there would be some visual changes to the site due to the erection of the fence, this change and use of the land for dog walking, is not considered to harm the local character and would comply with LP18, LP20 and LP21 of the Local Plan 2021-2040 and the NPPF.

### **Impact on Neighbour Amenity:**

Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

LP21 of the Local Plan 2021-2040 seeks to protect neighbour amenity by assessing proposals against a number of factors including: overlooking, overbearing, overshadowing; noise; odour; air quality; light pollution, for example. Development that has a significant impact on the amenity of others should be refused.

A number of comments of objection raised issues relating to noise and disturbance, security, and loss of privacy.

The closest receptors to the site are the residential dwellinghouses to the north and west of the site and users of the public right of way, Denver Footpath 21, which runs along the south of the application site. The closest neighbours to the application site are No 34 who are approximately 42m to the east and shown within the blue line boundary, and Hill House who are approximately 38.2m to the north.

Given the nature of the proposal, there would be no impact regarding overlooking, overbearing and shadowing. Whilst there might be momentary views from customers of the dog walking field to No 34 and Hill House, views would not be to their private amenity areas and therefore would not constitute as a loss of privacy which would warrant a refusal. Furthermore, while there may be moments where users of the footpath and of the dog walking field could conflict, this would not result in a prolonged noise and disturbance impact.

The Community Safety and Neighbourhood Nuisance (CSNN) team has expressed concern that the proposal may result in an unsatisfactory relationship with neighbouring properties due to noise from sources that are difficult to control, particularly given the proximity of Denver Footpath 21 to the south of the site. These comments have been fully considered. However, it is concluded that the anticipated level of activity, noise, and general disturbance would not be so significant as to warrant refusal, as appropriate conditions can be imposed to ensure effective management of the site.

It is also recognised that noise from pedestrians and dogs could occur irrespective of the proposed secure dog-walking facility. The site and surrounding land are currently unrestricted, with no existing limit on the number of dogs or pedestrians using the area.

Planning Committee  
02 February 2026

To support the application, the Applicant has submitted a management plan outlining the operation of the facility. This includes a limit of one booking at a time, with sessions of either 30 or 60 minutes, and a maximum of four dogs from no more than two households. As such, any associated noise is expected to be comparable to that generated within a typical domestic garden.

CSNN acknowledges that several aspects of the submitted noise management plan are acceptable but has requested further detail regarding the booking system, customer record-keeping, complaints procedures, and site signage. A condition requiring the submission and approval of a detailed noise management plan prior to the first use of the facility is therefore recommended.

Regarding waste and odour, the Applicants have stated that free biodegradable waste bags would be provided for customers to use, and a dog waste bin provided on the site. Waste would be removed from site by the customers or a waste management contractor on a weekly or fortnight basis.

No external light is proposed as part of the development. External lighting would be conditioned so that should any lighting be installed, it would not cause amenity issues and is contained within the site.

Lastly, loss of views is not a material consideration.

Should the application be granted, conditions related to the submission of a detailed noise management plan, limiting the number of dogs allowed at any one time, hours and days of operation, and lighting details prior to installation would be included on the decision notice.

Regarding impact to neighbours, the proposal would comply with LP07 and LP21 of the Local Plan 2021-2040 and provisions in the NPPF subject to conditions.

### **Highway Safety and Public Rights of Way:**

The site would be accessed via an existing access from Ryston Road for vehicular traffic. The site is also well connected to Denver and Downham Market by footpaths, which allow customers to also arrive by foot. Lastly, Denver Footpath 21 lies approximately 7.6m from the southern boundary of the application.

Initially, the development sought to utilise an existing access from the A10 to serve the proposed dog walking field. As a Primary route in Norfolk's Route Hierarchy and designated as a corridor of movement in the Kings Lynn and West Norfolk Local Plan, the development would conflict and interfere with the passage of through traffic on this primary route, ultimately caused by additional vehicles, slowing, waiting, and turning into the site. The Local Highway Officer therefore objected to the access egressing from the A10.

Following this, the Applicant submitted an amended site plan with the access egressing from Ryston Road in Denver by an existing track, currently used to access the field and No 34, a residential dwelling shown within the blue line ownership. The Local Highway Officer has no objection to the use of this access, subject to conditions.

The Parish Council have objected to application due to the level of traffic generated by customers and the local authority to collect and dispose of the waste. In addition, some third-party comments also refer to the existing level of traffic along Ryston Road.

The traffic associated with this development would be low level (up to 8 customer car trips per hour) and sufficient parking space would be created on site, with a passing place for waiting customers within the application site. The Applicant has said that waste would be removed from site by the customers or a waste management contractor on a weekly or fortnight basis. Traffic levels from customers and contractors on Ryston Road would be limited and would not increase existing traffic.

Furthermore, third party comments also raised concerns with the impact on Denver Footpath 21. The Applicant has obtained a Highway Boundary Map from Norfolk County Council, Public Rights of Way Team (PROW), which shows that the development would not impact the legal extent of the public right of way. The PROW Team, therefore, have no objection to the proposal.

Therefore, it is considered, following the change to the access from the A10 to Ryston Road, that the development would comply with LP13, LP14, LP21 and LP23 of the Local Plan 2021-2040 and the NPPF.

### **Ecology and Biodiversity Net Gain (BNG):**

The application was supported by a Statutory Metric for biodiversity net gain completed by Tristanna Boxall [South Coast Ecology] dated 14 November 2025 and a Preliminary Ecology Assessment (PEA).

The metric data indicates that the application site comprises 2.16 of habitat units of grazed modified grassland. The Applicant intends to provide biodiversity net gain on site by planting trees around the perimeter of the site, which equates to approximately 15.92 per cent gain - which is above the mandatory 10 per cent gain. The Council's Senior Ecologist has no objection to the BNG baseline.

The Applicant has submitted a Habitat Monitoring Plan for consideration. However, BNG is a post-consent consideration and cannot be given any consideration at this stage.

The PEA found a potential for commuting and foraging bats, badgers and hedgehogs on the site. Third party comments raised concerns with the proposed fencing hindering the free movement of wildlife across the site. Verbally, the Council's Ecologist considered that the development would have a neutral impact on wildlife movements as the site currently comprises low foraging habitat and there is no significant barrier to movement, with wildlife still able to continue moving south to north (and vice versa) outside of the application site.

The PEA recommends mitigation such as no lighting, escape ladders during the construction phase to prevent animals from becoming trapped in any open excavations left overnight, vegetation within the works area shall be maintained at a maximum height of 30mm through regular mowing in order to discourage GCN and reptiles from using the site, any trenches left overnight should be covered or provided with ramps to prevent GCN (and other species such as Hedgehogs and Badgers) from becoming trapped. Furthermore, enhancements such as native planting of trees such as Oak, Willow, Beech, Ash, Elm, Birch, Hawthorn, Holly, Elder, Hazel and Rowan trees, and three woodcrete bird nest boxes will be erected on site is also proposed.

The Council's Senior Ecologist has no objection the mitigations and recommendations of the PEA.

Subject to conditions related to BNG and the mitigation and enhancements within the PEA, the proposal would comply with LP19 of the Local Plan 2021-2040 and provisions in the NPPF.

**Other matters requiring consideration prior to the determination of this application:**

**Climate Change:**

Policy LP06 of the Local Plan 2021-2040 requires all development to acknowledge and contribute to future proofing against the impacts of climate change, supporting the transition towards the Government's target of achieving a net zero economy by 2050.

The policy also requires proposals over 1ha in size to be accompanied by a sustainability and climate change statement. The supporting text to LP06 explains that the policy is intended to address matters such as flood risk, coastal change and rising temperatures, where relevant to the nature of the development.

This application relates to the change of use of non-arable agricultural land to support a small scale rural business. The use would generate only low levels of traffic, and the site is accessible on foot. Taking these factors into account, the proposal is considered to comply with the aims of LP06, making efficient use of land in a sustainable location that is not wholly dependent on vehicular access.

**Specific comments and issues:**

Paragraph 48 of the NPPF 2024 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Whilst third parties have quoted policies of the previous plan (Site Allocation and Development Management Plan 2016 and the Core Strategy 2011), the development has been considered against the updated policies of the Local Plan 2021-2040.

The recommended conditions suggested by CSNN have been amalgamated where possible to avoid the duplication of condition and in order to meet the test for planning conditions.

**CONCLUSION:**

The application seeks to change agricultural land to a secure dog walking field at Land E of Ryston Road in Denver. Local and national planning policies are largely supportive of rural based businesses. The proposed development is in Denver which is accessible by footpaths in and around Denver and Downham Market. Following the amendment to the access from egressing from the A10 to Ryston Road in Denver, the access and parking arrangements is considered to be acceptable, and the Local Highway Authority do not object to this.

The concerns were raised by the Parish Council, CSNN, and third parties regarding form and character, impact to neighbours, and impact on the highway, it is considered the scale of the proposed development would be low and not have an undue impact.

No objections were raised by Public Rights of Way (PROW), IDB, Historic Environment, Natural England, and the Council's Ecologist and Arboricultural Officers, subject to the imposition of conditions.

To conclude, the proposed development would comply with policies LP06, LP07, LP18, LP19, LP21 and LP23 of the Local Plan 2021-2040 and provisions of the NPPF and it is recommended that Members approve this application, subject to the imposition of conditions.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:  
Dwg no. 100 Rev C. Location Plan.  
Dwg no. 101 Rev C. Proposed Block Plan.  
Dwg no. 102 Rev E. Proposed Site Plan.  
Dwg no. 103 Rev E. Detailed Plan.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The dog walking facility hereby approved shall be limited to one booking on site at any one time, with a maximum of 2 cars / 4 dogs per booking.
- 3 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF and Policy LP21 of the Local Plan 2021-2040.
- 4 Condition: Prior to the installation of any external lighting, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lights, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 4 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and Policy LP21 of the Local Plan 2021-2040.
- 5 Condition: Prior to the first use of the development hereby approved, a Noise Management Plan, which shall include: details of how bookings are controlled within the allocated time slot(s); how customer details being taken and retained; and on-site signage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the agreed Noise Management Plan thereafter.
- 5 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF and Policy LP21 of the Local Plan 2021-2040.

- 6 Condition: The dog walking field hereby approved shall operate and be open to members of the public on the following days and times:
- From the 1st March to the 31st October in any calendar year, on Monday to Saturday between the hours of 7am to 8pm and on Sunday/Bank/Public Holidays between the hours of 8am to 8pm;
  - and from the 1st November to the 28th February (29th February on a leap year) in any calendar year, on Monday to Sunday/Bank/Public Holidays between the hours of 8am to 4pm, unless agreed in writing by the Local Planning Authority.
- 6 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF and Policy LP21 of the Local Plan 2021-2040.
- 7 Condition: Notwithstanding the approved plans, prior to first use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected on the north, east, south and west boundaries. The boundary treatment shall be completed before the use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 7 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF and policy LP21 of the Local Plan 2021-2040.
- 8 Condition: The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Metric dated 14 November 2025 and prepared by Tristanna Boxall.
- 8 Reason: To ensure the development delivers a Biodiversity Net Gain on site in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and policy LP19 of the Kings Lynn and West Norfolk Borough Council Local Plan.
- 9 Condition: The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including:
- a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP and thereafter retained in the conditions specified to serve the intended purpose. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

No occupation shall take place until:

Planning Committee  
02 February 2026

- (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

- 9 Reason: To ensure the development delivers a Biodiversity Net Gain on site in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and policy LP19 of the Kings Lynn and West Norfolk Borough Council Local Plan.
- 10 Condition: The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement Strategy outlined in Section 5 of the Preliminary Ecological prepared by South Coast Ecology dated 16/09/2025. Locations of these enhancement measures must be mapped in relation to the proposed development and submitted to the LPA alongside photographic evidence of installation prior to use of the development hereby approved. Measures shall be implemented in full and the habitats maintained thereafter.
- 10 Reason: In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Paragraph 174 of the NPPF and local planning policy.
- 11 Condition: No development or other operations shall commence on site until the existing trees of TPO/00085/W1, in the blue line of dwg no 100 Rev C, shown to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 11 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and policy LP19 and LP21 of the Local Plan 2021-2040.
- 12 Condition: Notwithstanding the approved plans, prior to the first use of the development hereby permitted, full details of both hard standing and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours and hard surface materials. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 12 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF and policy LP19 and LP21 of the Local Plan 2021-2040.
- 13 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details of condition 12. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme



to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

- 13 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF and policy LP19 and LP21 of the Local Plan 2021-2040.