



TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL UNDER SECTION 174

Site Address: Land on the South side of Beggarman's Lane Knutsford  
Alleged breach: Without planning permission, the material change of use of the Land from agricultural use to a dog exercise facility including associated development consisting of the erection of enclosures and the provision of canine exercise equipment on the Land  
Appellant's name: Mr Phil Simons  
Appeal reference: APP/R0660/C/22/3308768  
Appeal start date: 02 November 2022  
Council's reference: 21/00632E (2)

I refer to the above details. An appeal has been made to the Secretary of State against an Enforcement Notice issued by Cheshire East Borough Council on 20th September 2022.

The Enforcement Notice was issued for the following reasons:

The material change of use of the Land has occurred within the last ten years and therefore is not immune from enforcement action.

The development constitutes inappropriate development within the Green Belt, it results in harm to openness as well as conflicting with the purposes of the Green Belt by way of encroachment. Very special circumstances are not known to exist that would outweigh the harm to the Green Belt. The development therefore conflicts with Policy PG3 of the Cheshire East Local Plan Strategy (2017) and section 13 of the National Planning Policy Framework for the protection of the Green Belt.

Due to the location of the exercise facility for pet dogs in a semi-rural setting with low background noise level and nearby residential dwellings, the development results in a significant adverse impact on the amenity of nearby residential properties through noise and is therefore contrary to policy DC3 of the Macclesfield Borough Local Plan and paragraph 185a of the National Planning Policy Framework.

The Council does not consider that planning conditions could overcome these objections to the development.

The Enforcement Notice requires the following steps to be taken:

- a) Cease the use of the Land as a dog exercise facility.

b) Remove all enclosures, jumps, tyres, tunnels, bins and other paraphernalia from the Land that is unassociated with the agricultural use of the Land.

The appellant has appealed against the notice on the following grounds:

Ground (a) - That planning permission should be granted for what is alleged in the notice.

Ground (b) – that the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

Ground (c) – that there has not been a breach of planning control.

Ground (f) – the steps required to comply with the requirements of the notice are excessive and lesser steps would overcome the objections.

Ground (g) – the time given to comply with the notice is too short.

The appeal will be determined on the basis of written representations.

The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, you can do so on the Planning Portal at <https://acp.planninginspectorate.gov.uk>

or by emailing [teame1@planninginspectorate.gov.uk](mailto:teame1@planninginspectorate.gov.uk)

If you do not have access to the internet, you can send three copies to:

Paul Eland  
The Planning Inspectorate  
Room 3B  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN.

All representations must be received by 14 December 2022.



Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. All representations must quote the appeal reference.

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

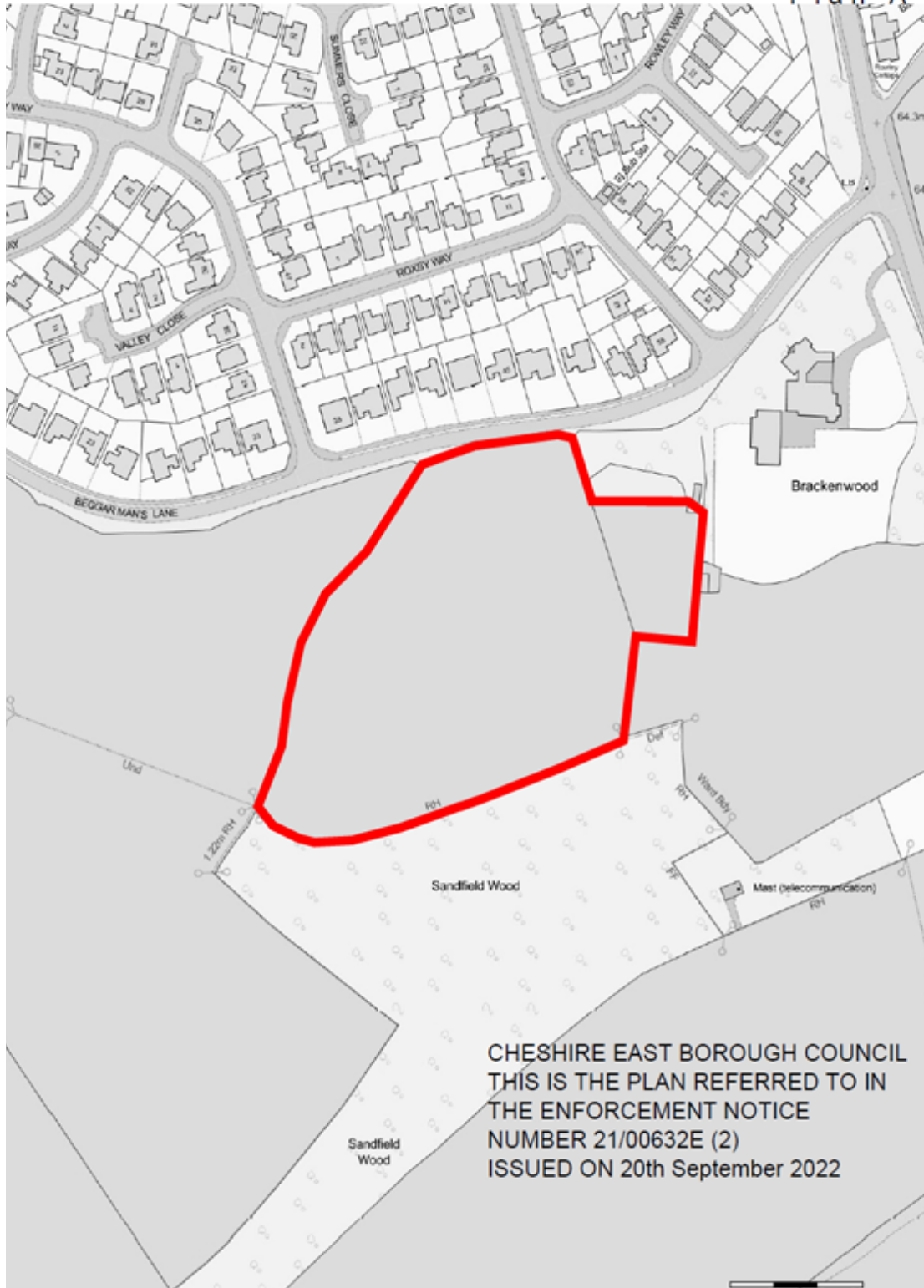
If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

The appeal documents are available for inspection at Macclesfield Customer Service Centre, Town Hall, Market Place, Macclesfield, SK10 1EA.

You can get a copy of one of the Planning Inspectorate's Guide to taking part in enforcement appeals booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published on GOV.UK.

"Plan A"



CHESHIRE EAST BOROUGH COUNCIL  
THIS IS THE PLAN REFERRED TO IN  
THE ENFORCEMENT NOTICE  
NUMBER 21/00632E (2)  
ISSUED ON 20th September 2022