



JHB Planning

**“Land south of Grange Road,”
Netley Abbey,
Title number: HP153408**

**Lawful Development Certificate for use of land as a dog
exercise arena (existing development)**

Planning Statement

23rd December 2025

Prepared by James Brazil, C-SPS, JHB Planning on behalf of Promethean Planning
07472613721 / James@JHBplanning.co.uk

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Introduction

This planning statement is provided in support of an application for a lawful development certificate for existing development consisting of the change of use of land for a dog exercise arena at the property known as “Land south of Grange Road”.

This planning application is submitted concurrently with retrospective application for an area of hardstanding located within the same wider parcel of land.

This statement sets out the proposed scheme in detail with regard to the following aspects: the planning history of the site, the development that has occurred, the relevant planning legislation, and specifically the change of use benefiting from immunity from enforcement action under section 171B of the Town and Country Planning Act 1990, having been completed for a period exceeding 13 years prior to submission of this application.

Site and existing use

The application area amounts to approximately 3189 sqm, contained within a larger holding of land under the applicant's ownership amounting to approximately 0.5 hectares. The site is located to the south of Grange Road, opposite a recycling centre. The site has an established access at the north eastern most point from Grange Road.

The site is currently used as a dog exercise arena (of which lawfulness is being established under this application). The site comprises of an area of grassland with associated paraphernalia to the western side (the dog exercise arena), and an area of hardstanding to the eastern side but outside of the red line (which a concurrent application addresses). A mature hedge/treeline exists at all boundaries.

The surrounding area is of unique character; immediately north of the site is a waste recycling centre for household waste, a solar panel farm is located just north of the waste centre, and a mix of caravan camping and storage, farmsteads, and agricultural land with surrounding residential development lie further afield.

Planning history:

After completing a planning history check using the LPA's online register of planning applications, and enforcement register, the following items were returned.

Property Unique Reference Number: **010022809776**

Ref.	Proposal	Decision	date	Notes
F/14/74042	Change of use of agricultural field to dog training facilities (Sui Generis)	refused	14/03/2014	This application was retrospective for works having taken place in 2012

In 2014 a planning application was refused for retrospective use (having taken place in 2012) of the land as a dog training facility, however, the reason for refusal stemmed from the applicant's inability to provide sustainable transport contributions at that time, not the proposed use of the site. The application was assessed as acceptable in policy terms for change of use within the countryside.

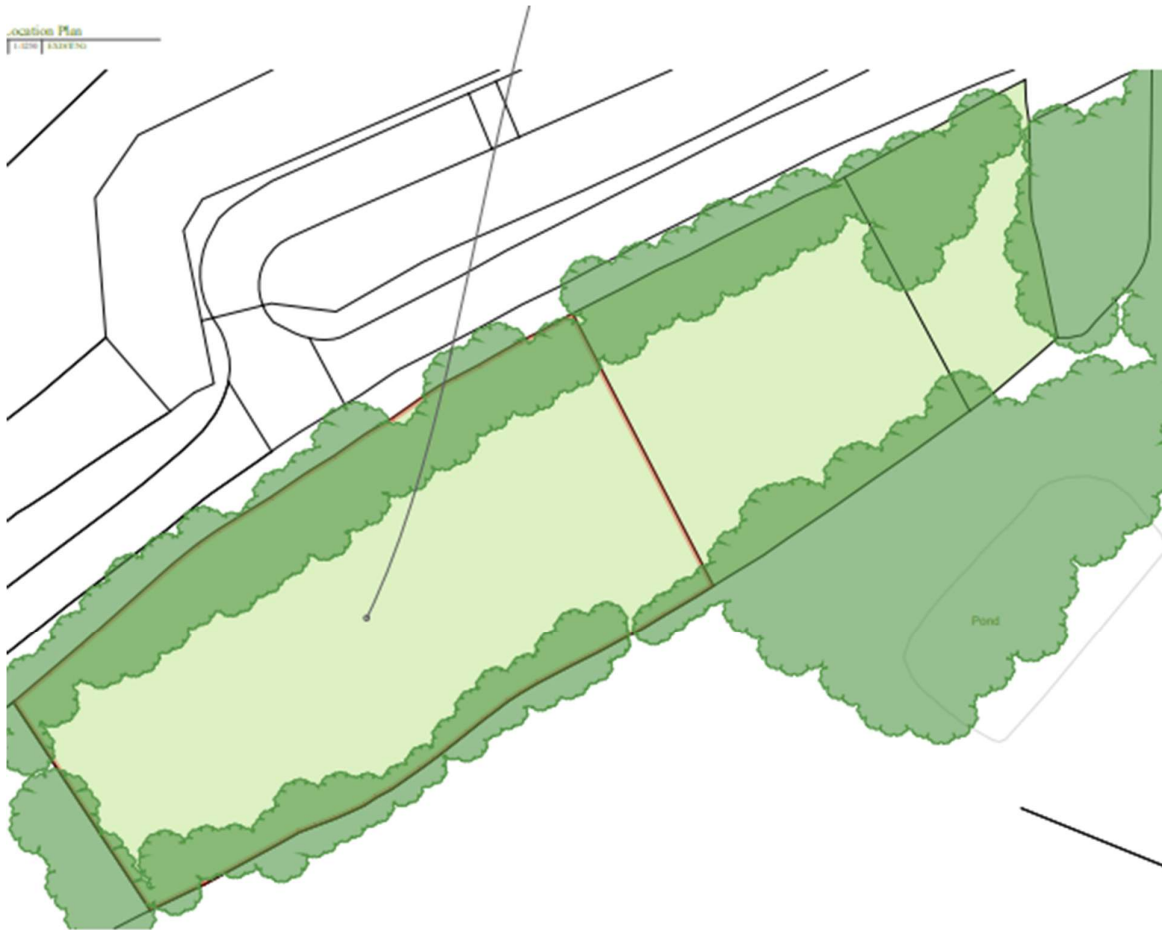
No formal enforcement notice has been served on the land.

Relevant legislation

Section 171B of the Town and Country Planning Act 1990 sets out that breaches of planning control are exempt from enforcement action and established as lawful where development has been substantially completed for a period exceeding 10 years.

Historic use

The application is made to establish the lawfulness of a dog exercise arena.



Site plan of arena, for reference only.

Use of the land as a dog exercise arena date back to 2012. Evidence of this can be provided by historic satellite and street view images that show the initial area used as a dog arena fenced in a central position on site. Please see **Appendix 1** attached to this document and below close ups of the signage present on the site in 2012 for “dog training”.

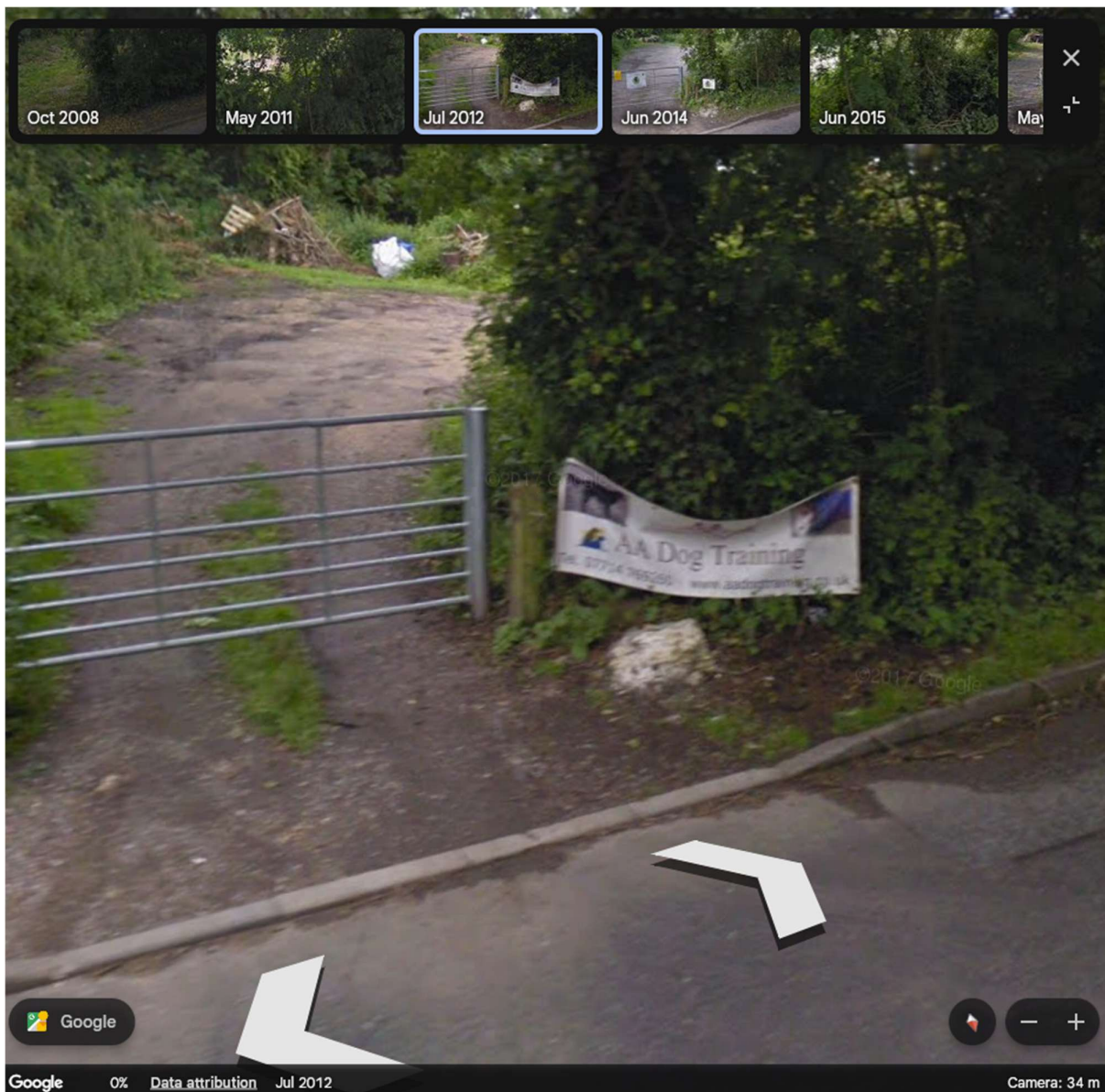


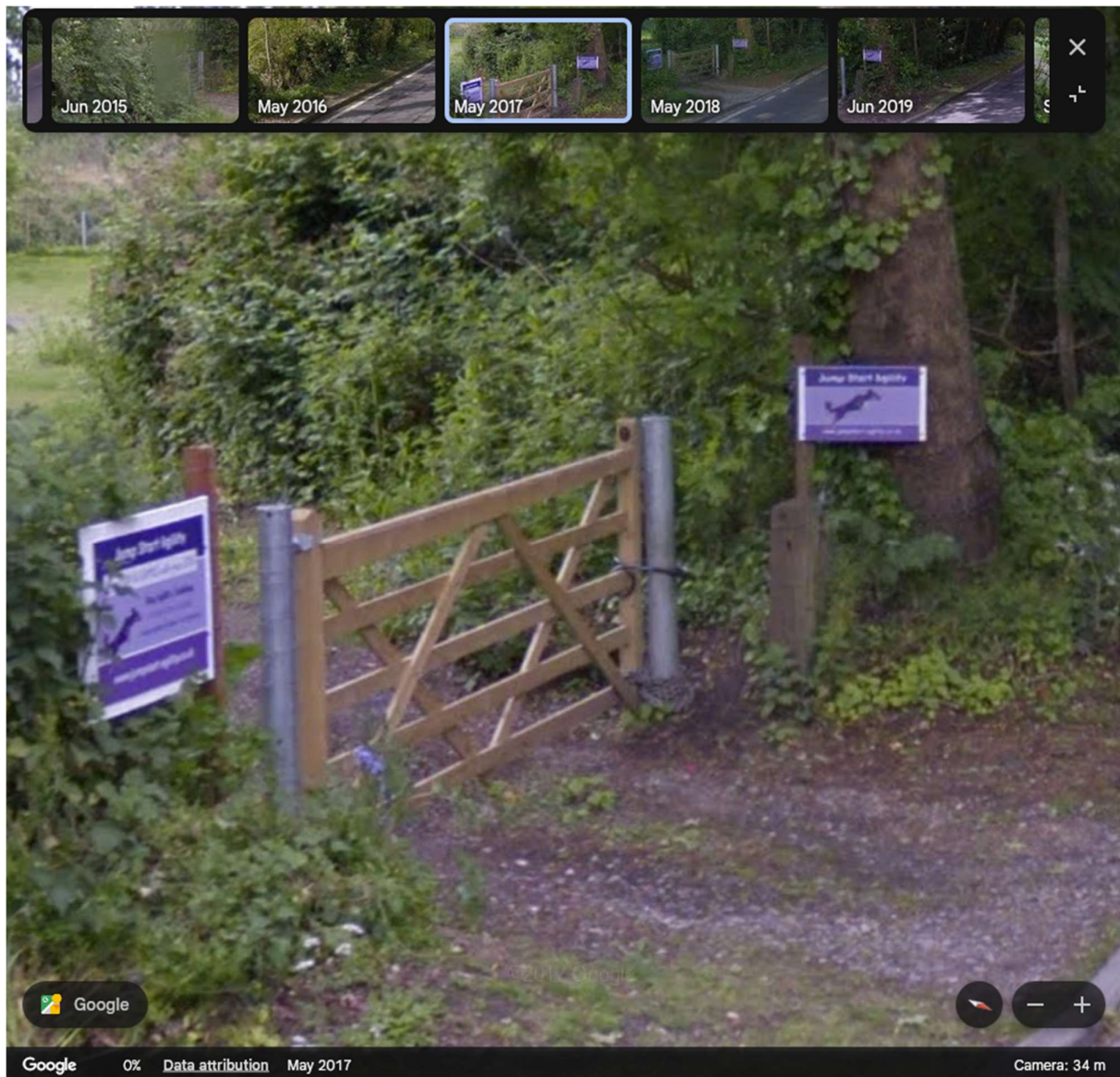
Image of advertisement for dog training at entrance of site in 2012 – Google street view.

Further evidence for use as a dog exercise arena is provided within Appendix 2 - application form for planning application ref. F/14/74042, stating that development of the arena had taken place in 2012. The 2012 application further evidence that at least some part of the site was used as an arena in 2012 and was not in agricultural use.

In 2014 planning application reference F/14/74042 was submitted for the retrospective change of use of agricultural field to dog training facilities (Sui Generis) (Please see Appendix 2). As above it is detailed within the relevant documents for this application that the use of the land as a dog exercise arena had first commenced in 2012.

It can be seen in the satellite image of the site from 2014 that by this time use of the site as a dog exercise arena had intensified. Associated paraphernalia had been present at all corners of the site in the form of small sheds and a trampoline used as exercise equipment. While planning application reference F/14/74042 was refused, **no formal enforcement action was taken** and use of the site continued as a dog exercise arena from 2014 until present day.

In satellite imaging dated 2017 the use of the land further intensified with a large building present at the northern site boundary, and various ramp structures and exercise equipment located around the site. Additionally, an advertisement at the site entrance started again with signs clearly displaying “Jump Start Agility” with an image of a dog jumping. Please see Appendix 1 and the image below.



Advertisement at the site entrance clearly displaying “Jump Start Agility” with an image of a dog jumping dated 2017 – Google street view

In 2019 the large barn was removed from the site, however more dog arena paraphernalia was placed on site and remained in-situ and consistently increased in amount up until the present day.

The purple signage advertising for dog agility training also remained present until at least July 2024, as shown in the relevant street view image contained in appendix 1.

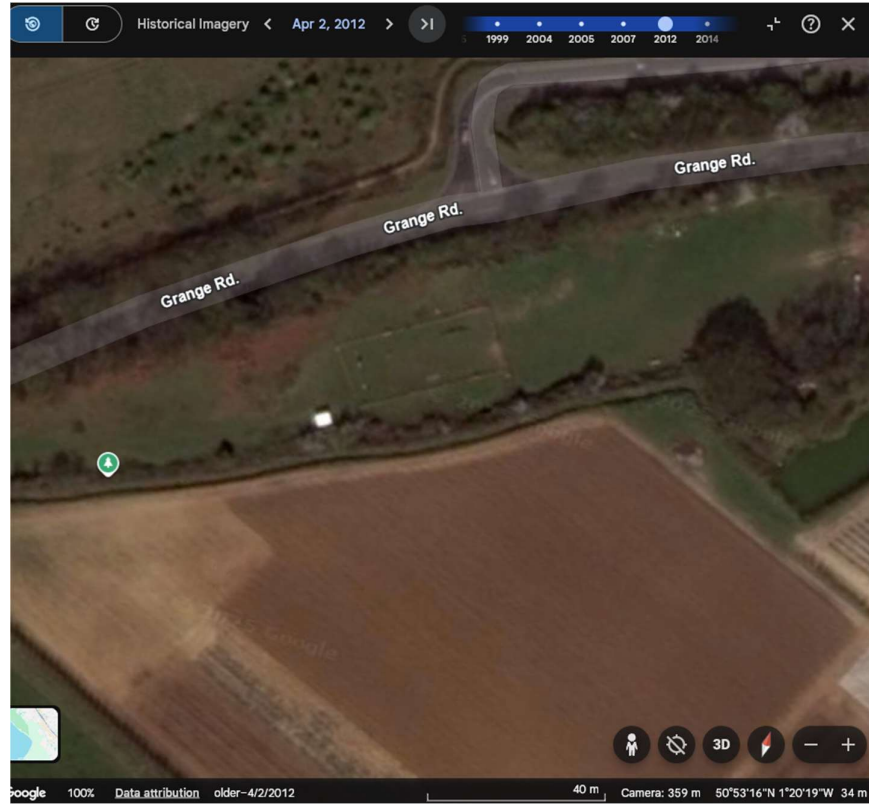
The site is still used as a dog exercise arena/ agility training ground at present day.

Lawfulness

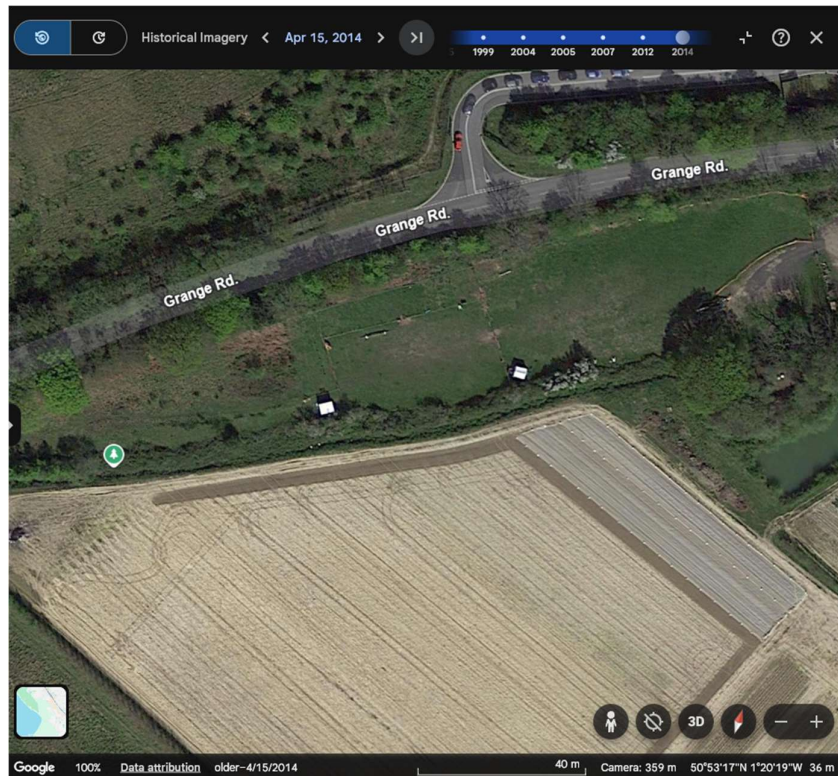
From the evidence provided in the above statement and appendices, use of the land as a dog exercise arena has evidently occurred between 2012 and the present day continuously, representing a period exceeding 13 years. Therefore, lawfulness of this change of use is established under section 171B of the Town and Country Planning Act 1990, and it is exempt from enforcement action due to the development being substantially completed for a period exceeding 10 years.

As such a certificate of lawful use for use of the land as a dog exercise arena should be granted.

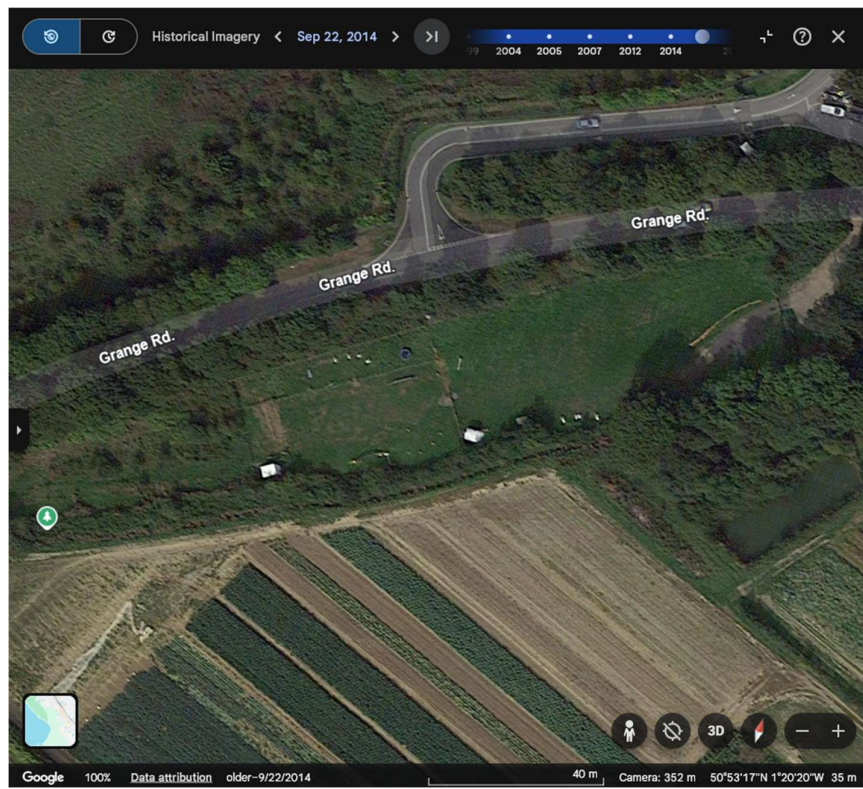
Appendix 1: Historic Images



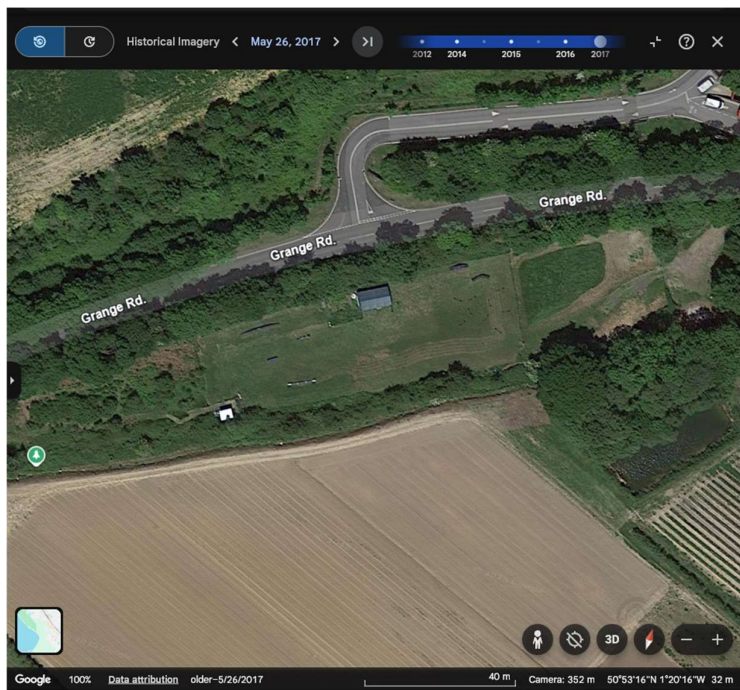
Historic satellite imaging dated 2012 – Google earth



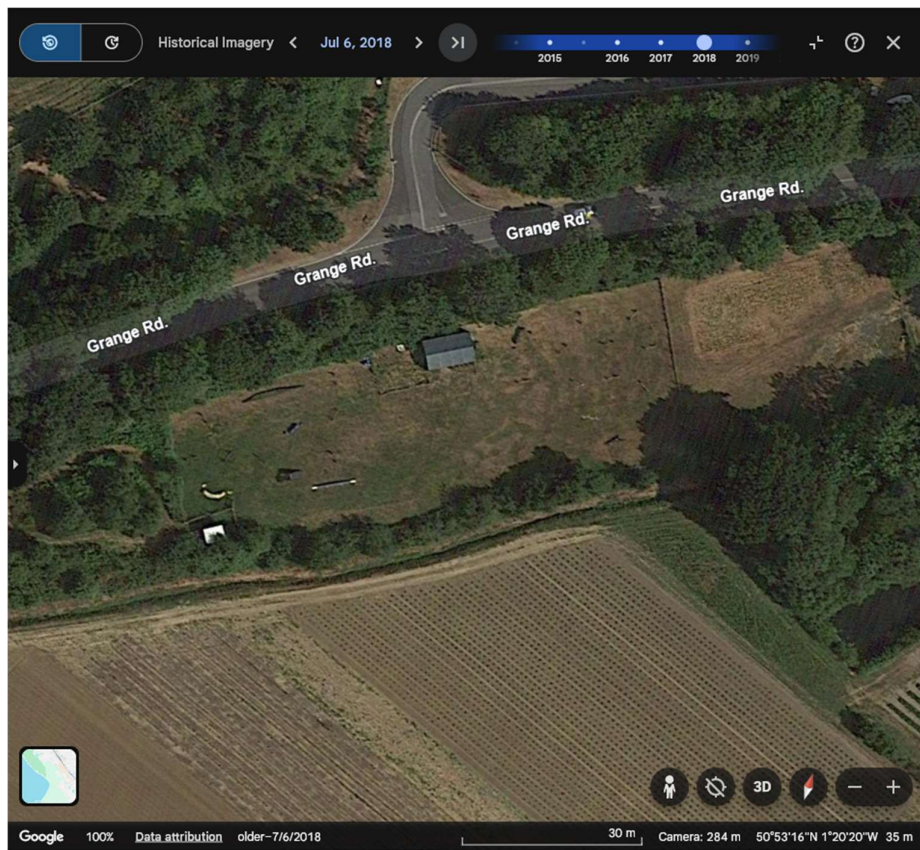
Historic satellite imaging dated April 2014 – Google earth



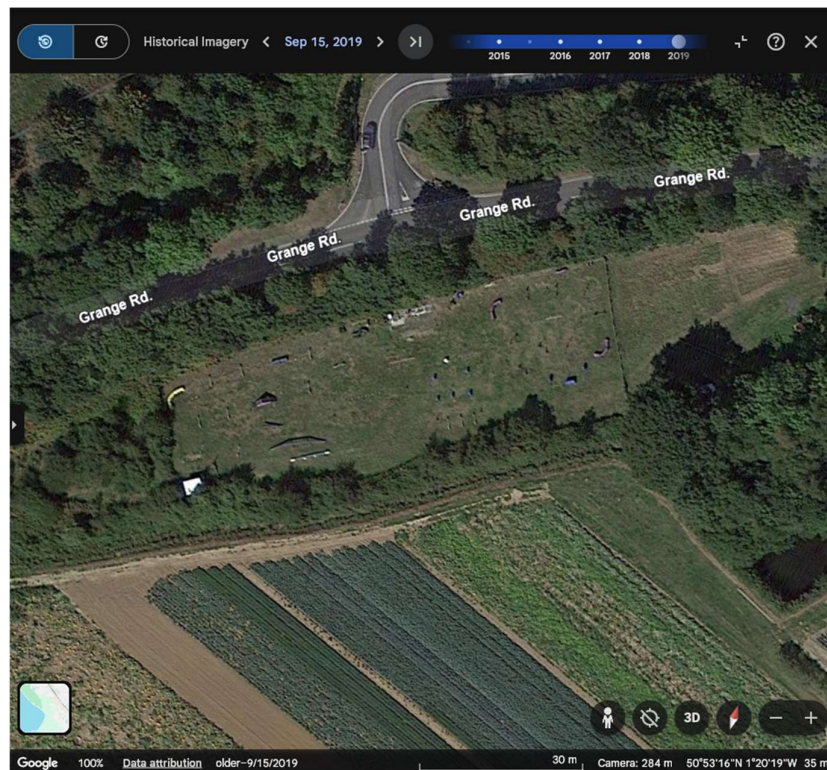
Historic satellite imaging dated September 2014 – Google earth



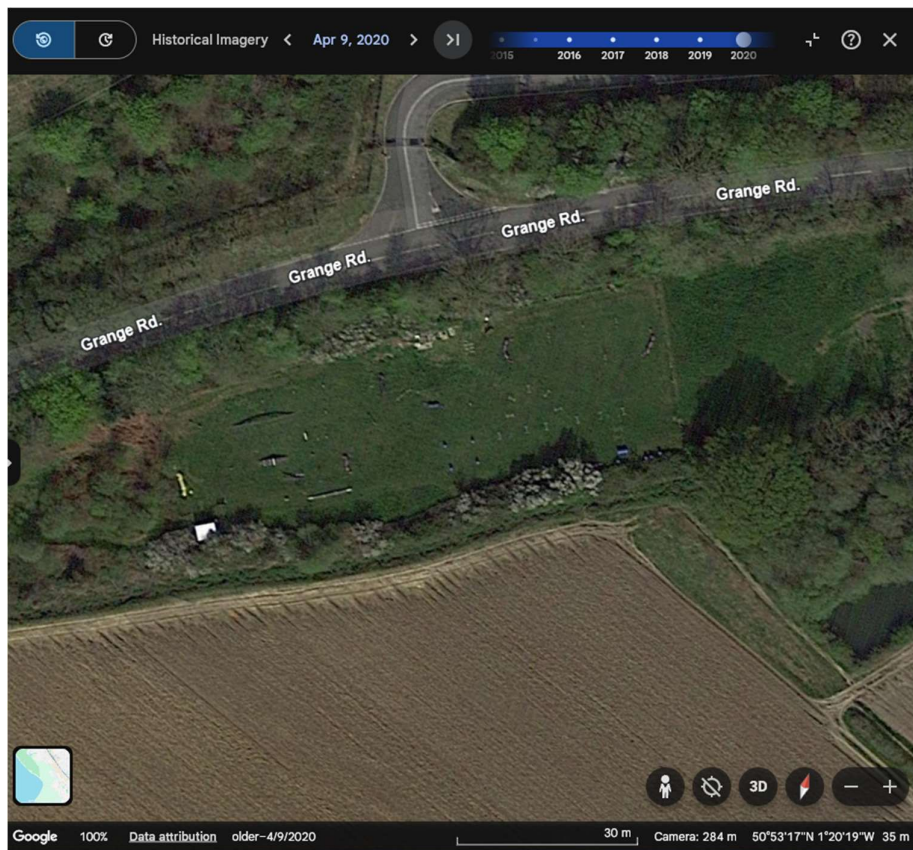
Historic satellite imaging dates 2017 – Google earth



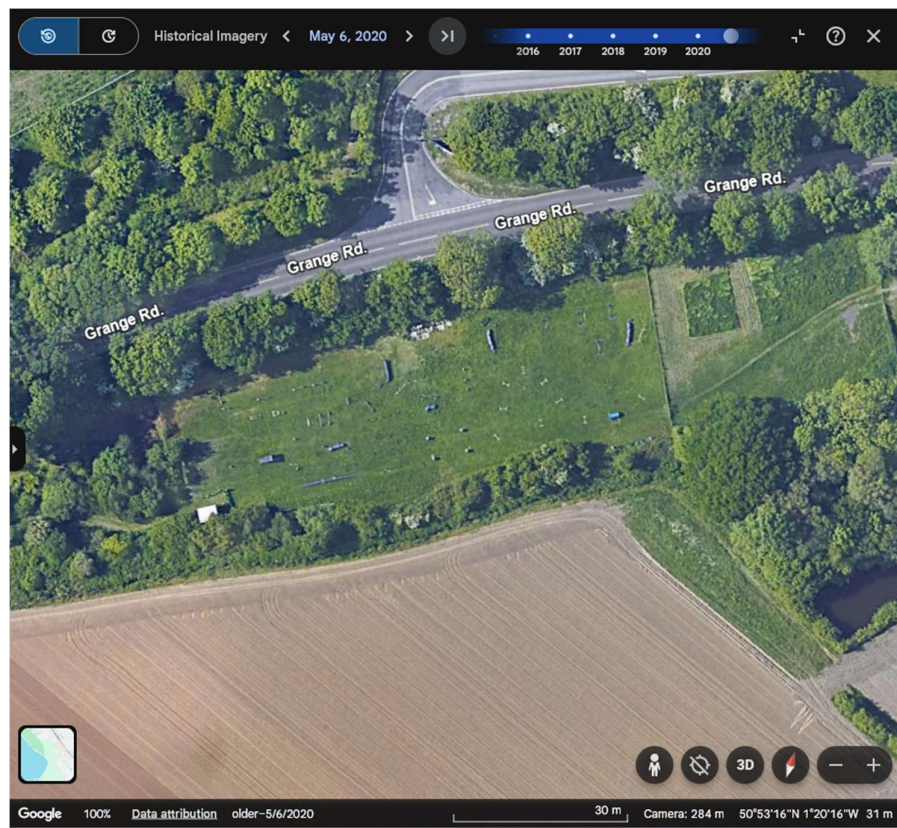
Historic satellite image dates 2018 - Google earth



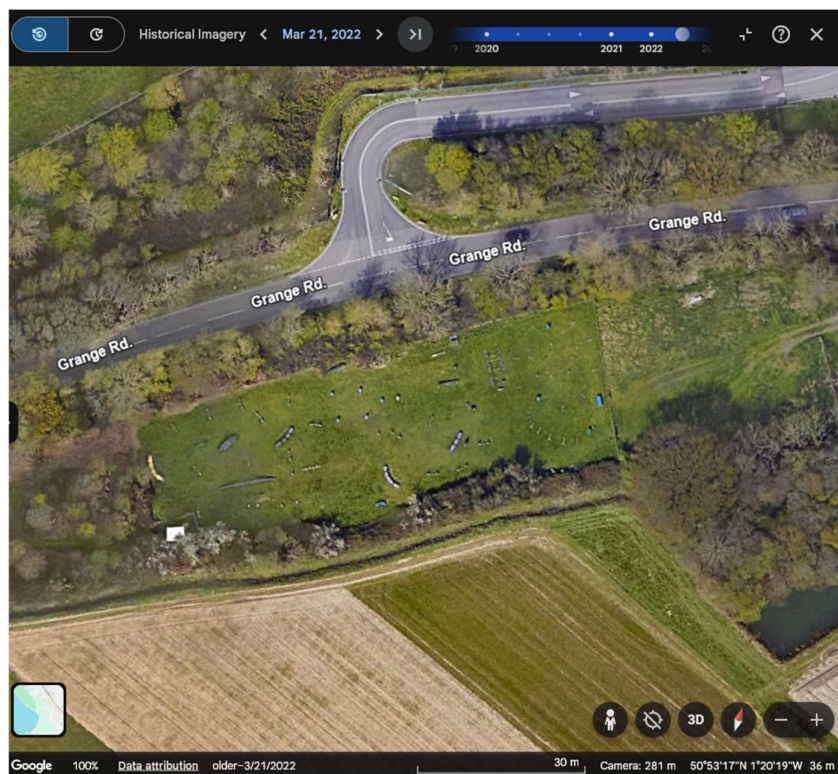
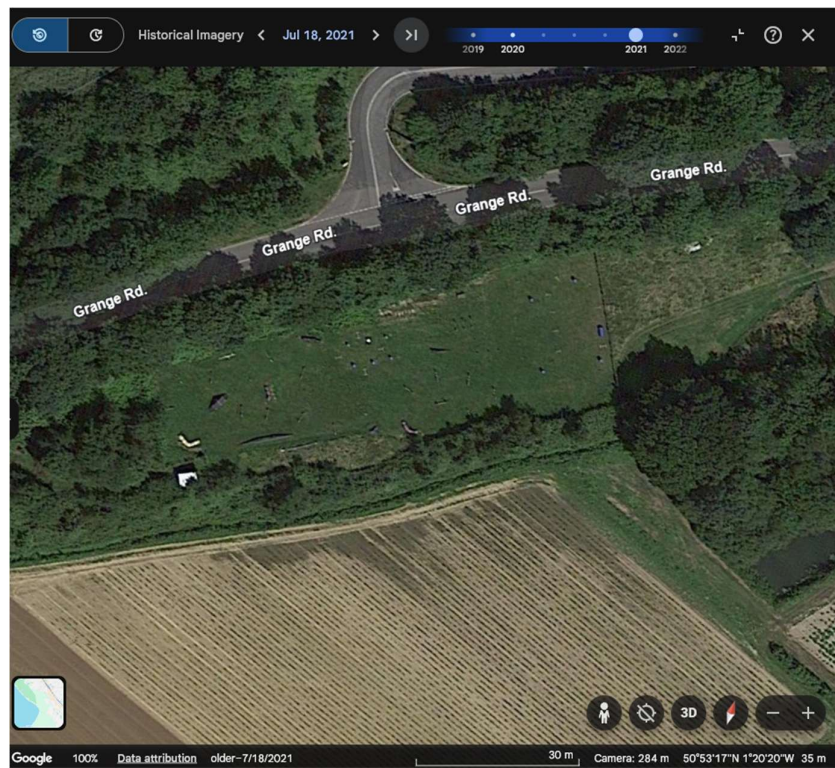
Historic satellite image dated 2019 - Google earth

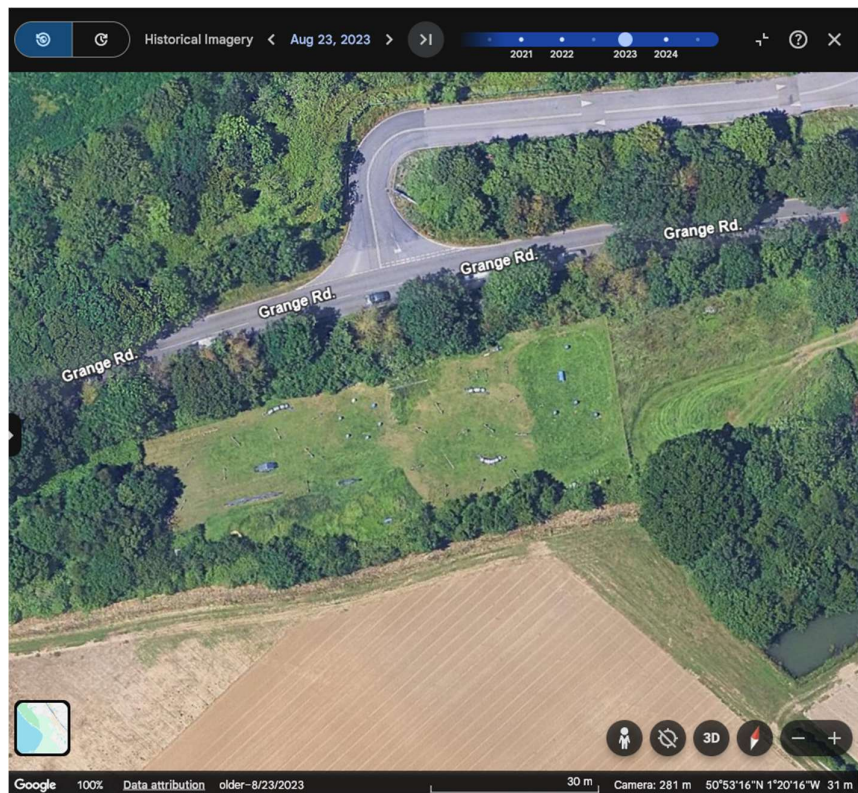


Historic satellite image dates April 2020 - Google earth

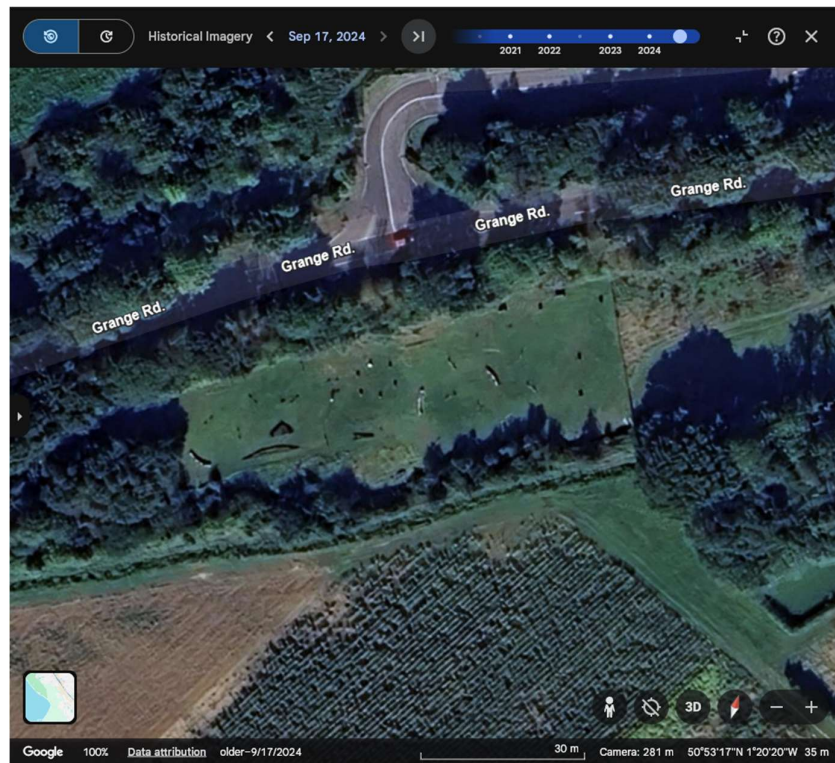


Historic satellite image dates May 2020 – Google earth





Historic satellite image dated 2023 – Google



Historic satellite image dated 2024 – Google



Historic image of entrance dated 2008 – Google street view



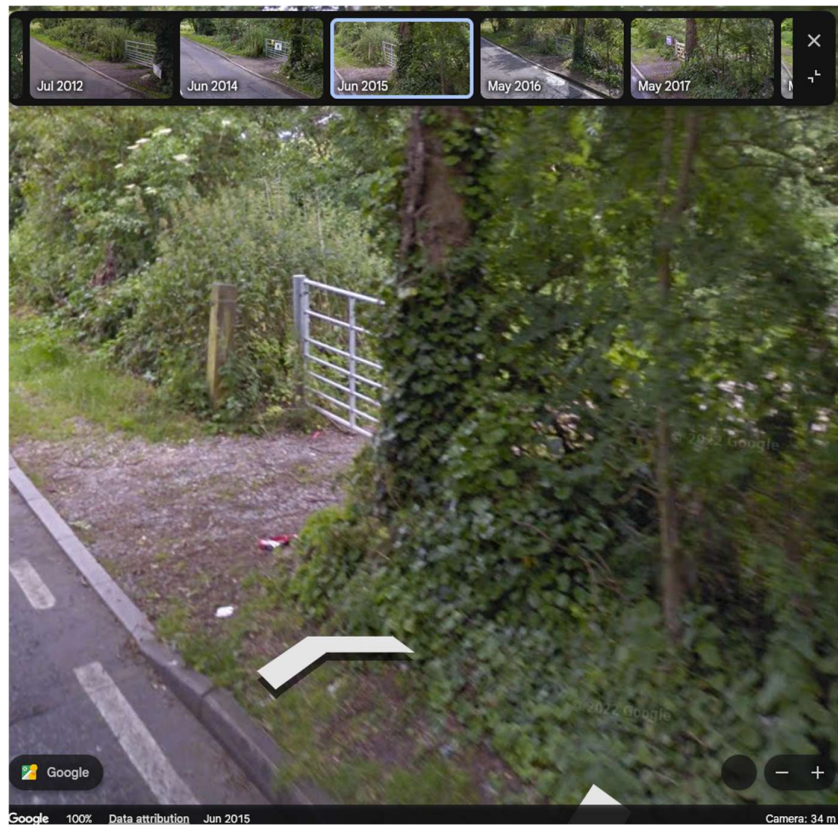
Historic image of entrance dated 2011 – Google street view



Historic image of entrance dated 2012 – Google street view



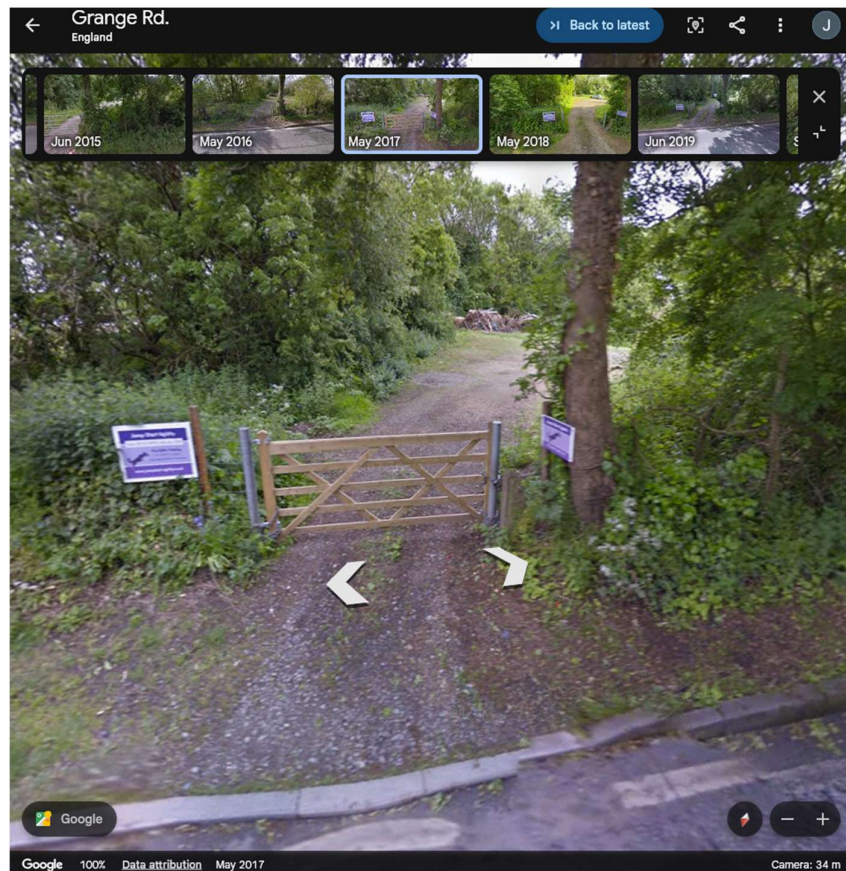
Historic image of entrance dated 2014 – Google street view



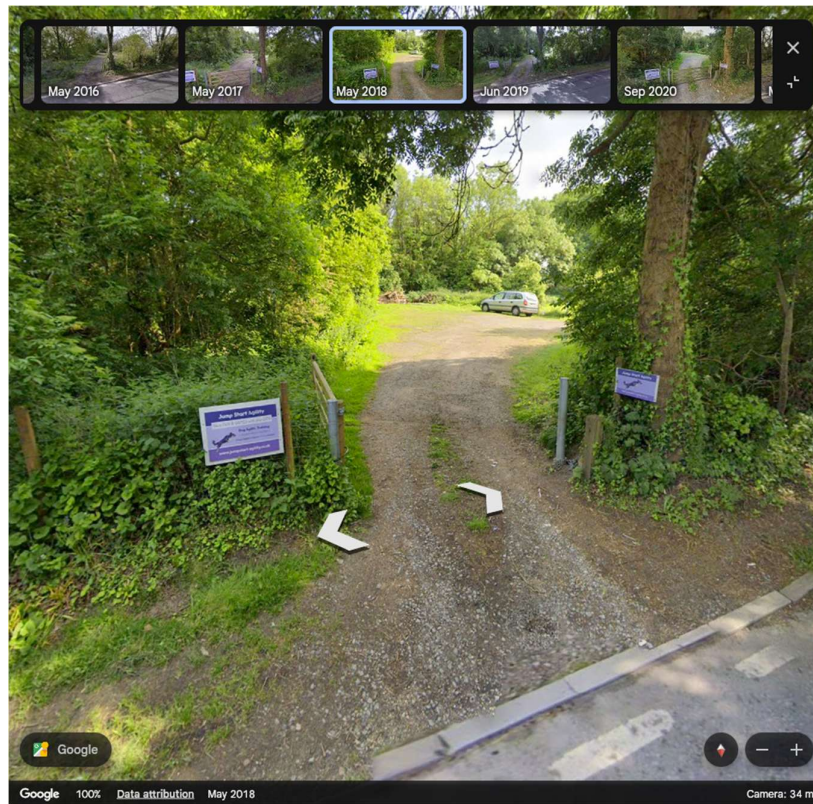
Historic image of entrance dated 2015 – Google street view



Historic image of entrance dated 2016 – Google street view



Historic image of entrance dated 2017 – Google street view



Historic image of entrance dated 2018 – Google street view



Historic image of entrance dated 2019 – Google street view



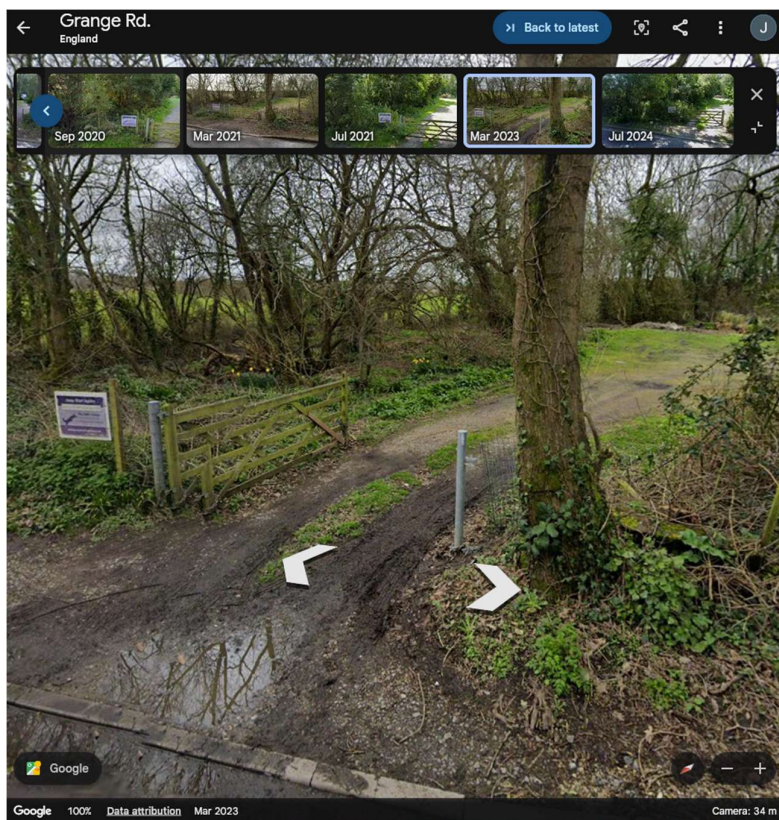
Historic image of entrance dated 2020 – Google street view



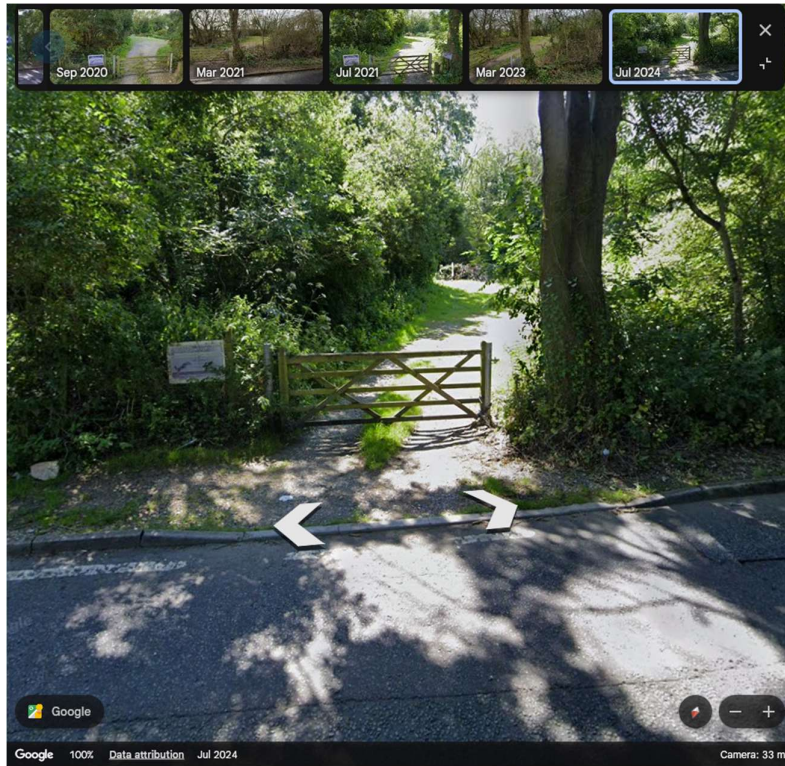
Historic image of entrance dated March 2021 – Google street view



Historic image of entrance dated June 2021 – Google street view



Historic image of entrance dated 2023 – Google street view



Historic image of entrance dated 2024 – Google street view

Appendix 2: Application documents for application F/14/74042

Application documents including Application Form, Plans, and the delegated report for application F/14/74042 accompany this application with references as follows:

APPENDIX 2 PLANNING HISTORY - F1474042 - Officers report

APPENDIX 2 PLANNING HISTORY - F1474042 - Submitted plans

APPENDIX 2 PLANNING HISTORY - F1474042 - Application form