

<b>APPLICATION NO</b>	<b>PA/2008/1363</b>
<b>APPLICANT</b>	Northcroft Boarding Kennels & Cattery
<b>DEVELOPMENT</b>	Planning permission to retain kennels (amended design), four cat pens and owner's dog run
<b>LOCATION</b>	Northcroft Boarding Kennels & Cattery, Belton Fields Lane, Westgate, Belton
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Third party request to address the committee
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> No specific policies apply.</p> <p><b>North Lincolnshire Local Plan:</b> Policy ST3 – the site lies within the open countryside. Development outside development boundaries will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.</p> <p>Policy RD2 – development in the open countryside will be strictly controlled. This policy lists the type of development considered to be acceptable within the open countryside.</p> <p>Policy DS1 provides general design guidance in relation to all new development.</p> <p><b>PPS7: Sustainable Development in Rural Areas:</b> This document provides general guidance in relation to new development within the open countryside.</p>
<b>CONSULTATIONS</b>	<b>Highways:</b> Do not wish to restrict the grant of permission.
<b>PARISH COUNCIL</b>	Views awaited.
<b>PUBLICITY</b>	Advertised by site notice and adjoining properties notified. Three letters of objection (2 from the same objector) have been received raising the following material planning considerations:

- change in orientation and position of the kennel block has caused additional noise and disturbance
- loss of sound barrier
- additional noise and disturbance from customers
- kennel block is not full to capacity so potential for increased noise and disturbance

## **ASSESSMENT**

This is a retrospective application as the works have already been carried out on site. The application is to retain a block of dog kennels comprising 10 covered kennels with dog runs with a corridor and path incorporated into the design, 4 cat pens and 1 dog kennel and run for the owner's dog(s).

**The main issues associated with this case are whether the proposal is acceptable in planning policy terms and, if so, whether the impact the development has on the open countryside and on neighbours is acceptable.**

The site is located within the open countryside where this type of facility is often located due to the large area of land required and access to public rights of way for dogs to be walked. It is also an employment-related use appropriate in the open countryside. The proposal therefore accords with policies ST3 and RD2 of the North Lincolnshire Local Plan and advice given in PPS7.

The site has an extant permission for an L-shaped block of kennels attached to the original block of kennels on the site (2004/0932). This permission expires on 22 July 2009 and therefore can still be implemented on site. This earlier permission granted 30 additional dog pens with runs on the site giving a total of 40 dog pens and runs within the one kennel block. The dog runs on this application faced eastwards and southwards.

The current retrospective application the subject of this report is for 10 additional dog runs and pens. The dog runs face west towards the access road. Therefore this application is for a total of 20 dog pens and runs within the one kennel block as opposed to the 40 already approved on the site.

It is accepted that dogs do create the potential for noise and disturbance on the site and to the surrounding area. When customers enter the site or people pass the site they are visible to the dogs in their runs. This creates

noise from dogs barking. There is a 2 metre high hedge along the western boundary of the site which will potentially screen vehicles and pedestrians using the access road in the summer months, although in the autumn, winter and spring months vehicles and pedestrians will be visible.

The nearest residential dwelling is approximately 16 metres from the application site. A 3 metre high conifer hedge is located between the properties. This hedge reduces the visual impact of the kennel block to the neighbour but will not reduce noise from the dogs.

It is accepted that the dogs on the site are causing noise disturbance to adjoining properties. It is considered that an acoustic fence placed in front of the kennel block will screen from view customers arriving at the site and passers by. This should reduce noise levels. Planning conditions can also be used to ensure that the dogs are kept in pens in the evenings and the hours that customers arrive to drop off and pick up dogs can also be controlled. Conditions can also ensure that there is adequate soundproofing in the roof of the kennel block. These conditions will help to reduce noise levels from the site.

The applicant has also applied to retain four cat pens and the owner's dog pens. The cat pens are sited adjacent to the boundary hedge and are 17 metres from the dog kennel block. Some trees are located between the buildings. Cats are not typically noisy animals and the location and design of the cat pens are considered acceptable.

The owner's dog kennel resembles a shed. It is located adjacent to the 3 metre high conifer hedge. The dogs in the kennel block are not visible to the owner's dogs. The dogs in the owner's dog kennel will not be visible to the dogs in the kennel block and will therefore have a minimal impact on noise levels from the site. These two buildings are considered to be acceptable.

In terms of the visual impact on the countryside, the buildings are visible within the landscape. However, the kennel block approved in 2004 was much larger than the kennel block now erected on site. As a result, the visual impact of this building on the countryside is somewhat less than what has been previously approved. The kennel block is 2.3 metres high and the pens are metal-fronted. The visual impact of the kennels is minimal in this case.

## RECOMMENDATION

### Grant permission subject to the following conditions:

1.

Within two months of the date of this permission a technical specification of the roof insulation to the approved kennel block shall be submitted to the local planning authority. Thereafter only the approved scheme shall be implemented on site within one month of written approval and retained as such at all times.

#### Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

2.

Within one month of the date of this permission a technical specification of an acoustic fence to be installed in front of the kennel block, in order to reduce noise from the dogs, and a drawing showing the design and location of this fence on the site, shall be submitted to the local planning authority. The approved scheme shall be implemented on site within two months of the written approval of the specification, siting and design of the acoustic fence by the local planning authority and retained thereafter.

#### Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

3.

All dogs shall be kept in the enclosed part of the dog pens of the approved kennel block with no access to the dog run area part of the pen between the hours of 7pm and 8am every day.

#### Reason

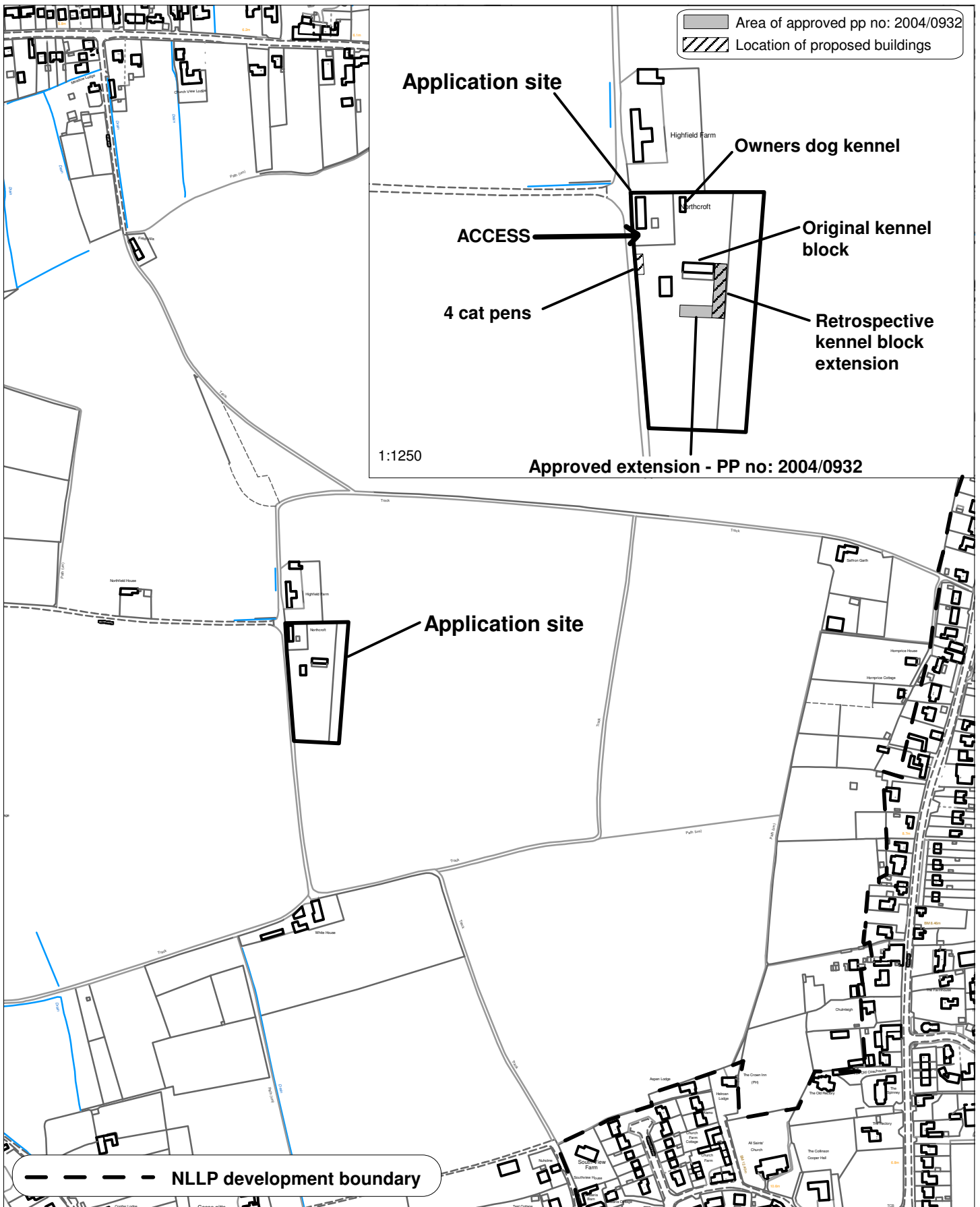
To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

Customers using the dog kennels shall only drop off and collect their dogs between 10am and 12 noon and 4pm and 6pm every day.

**Reason**

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.



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Highways and Planning Service

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