

APPLICATION NO PA/2014/0844

APPLICANT Mr S Price

DEVELOPMENT Planning permission to erect a cattery

LOCATION Westdene, 8 West End Road, Epworth

PARISH EPWORTH

WARD Axholme Central

CASE OFFICER Scott Jackson

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: Core Planning Principle 3 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

Core Planning Principle 7 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

North Lincolnshire Local Plan: Policies DS1, DS5, RD2 and T19 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2 and CS3 apply.

CONSULTATIONS

Highways: No objections, but recommend conditions 7 and 8.

Environmental Health: No objections, but recommend conditions relating to hours of construction, hours of operation (9am-12 noon and 2pm-6pm on a daily basis), details of the method and storage of waste material and that the cattery business be used for the boarding of cats only.

EPWORTH TOWN COUNCIL

Object on the following grounds:

- additional traffic in a residential area
- noise nuisance

- potential impact on neighbours.

PUBLICITY

Neighbouring properties have been notified. Two letters of objection have been received raising similar issues to those raised by Epworth Town Council, together with the fact that the proposed business use would introduce on-street parking issues, it could result in access and egress from the objector's property (Joyscroft) becoming blocked or difficult to negotiate and the owner's existing dogs could upset the cats.

ASSESSMENT

A decision on this application was deferred at the meeting on 22 October 2014 for a committee site inspection.

The site comprises an area of private amenity space to the rear of a detached bungalow. The rear garden is predominantly laid to lawn and extends to a depth of 50 metres; it is bordered by a hedge along its eastern boundary. The dwelling is located outside the settlement boundary for Epworth, on land designated as open countryside, however this part of West End Road is predominantly residential in nature. The bungalow is set back some 25 metres from the edge of the highway footpath and has a long, single lane driveway to the front, together with an integral garage. The host bungalow is set behind the front elevations of the neighbouring properties, namely 6 and 10a West End Road.

The main issues in the determination of this planning application are the principle of development and the impact on residential amenity.

Principle

The proposal is for a new cattery business outside the settlement boundary for Epworth. Policy RD2 (Development in the Open Countryside) therefore applies and states that planning permission will only be granted for development which is employment related development to the open countryside, provided the development cannot reasonably be accommodated within defined development boundaries and it would not be detrimental to residential amenity or highway safety. The proposal is for a cattery business at the applicant's existing property, and there is sufficient space within the rear garden to accommodate the proposal (in terms of its scale and height).

Core Planning Principle 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework (NPPF) states that planning policies should support economic growth in rural areas and support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. It is worth noting that the NPPF doesn't discriminate between specific types of new enterprise being proposed in rural areas, save that the proposal is sustainable and well designed. It is considered that the proposal in this location is in a sustainable location, being located on the edge of Epworth, within easy reach of the local highway network and local services within the settlement, and is accessible by foot and cycle if necessary. It is proposed to construct the building from brick and render with a polycarbonate roof. These materials of construction are considered to be consistent with the appearance of the majority of cattery businesses found within the rural areas of North Lincolnshire.

A cattery business is one which is commonly found within more rural areas owing to the amount of land required to reasonably accommodate a building, where rural buildings can be readily converted and which is located close to a dwelling to allow for the welfare of the cats. Whilst the site is located on land which is classed as open countryside (in planning policy terms) the fact remains that the area is residential in nature, therefore there is a requirement to account for loss of residential amenity. A cattery business is of a type which can be accommodated in an area which is more residential in its nature, owing to the fact that the noise issues associated with a kennels are not as prevalent. It is worth noting that no objections have been raised on noise grounds by Environmental Health.

It is the responsibility of the applicant to ensure that their existing dogs are kept separate from the cats (in the cattery). This will prevent issues relating to noise and disturbance arising from the mixing of animals.

Residential amenity

The proposal is for a building housing a cattery measuring 21 metres by 4.5 metres; it is reasonably capable of accommodating 13 cats with associated storage and kitchen areas. Whilst it is accepted that the proposed cattery building will extend to a floor area of 94.5 square metres, the fact remains that the front elevation of the applicant's bungalow is positioned beyond the rear wall of the neighbouring dwellings. The bungalow therefore acts as a screen between the cattery and the neighbouring dwellings. Given the set back position of the bungalow, and the subsequent set back position of the cattery building, it is considered that the proposal will not result in loss of residential amenity through the effects of overshadowing or having an overbearing impact.

The proposed hours of operation are stated on the supporting statement as being 9am to 12 noon and 2pm to 6pm daily and the business will operate on an appointment-only basis. An additional plan was received on 2 October 2014, which shows the parking layout and the delineation between customer parking spaces and the driveway retained by the applicant for their private vehicles. Highways have raised no objection to the level of parking provision, nor to the layout. Given that the cattery business will be run on an appointment-only basis, it is considered that parking movements to and from the site can be actively managed by the applicant on site, thereby removing the potential for vehicles to be parked within the public highway. Furthermore the applicant can ensure that potential customers are informed of the availability of parking within the driveway ahead of their visit.

The proposed hours of operation are acceptable: they will ensure that customers only visit the site during social hours of the day, and loss of residential amenity, through noise and general disturbance, will therefore not occur. The proposal will increase traffic movements to and from the site, however West End Road is capable of accommodating an increase in traffic flows and there is sufficient off-street parking provision within the site for both customers and the applicant. It would be the responsibility of customers to the site to ensure that they park their vehicles clear of the driveways belonging to neighbouring properties, thereby removing the potential for access and egress difficulties.

RECOMMENDATION Grant permission subject to the following conditions:

1. The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2014/0844/01, PA/2014/0844/02, PA/2014/0844/03, PA/2014/0844/04, PA/2014/0844/05, PA/2014/0844/06, PA/2014/0844/07 and Parking Plan received on 2 October 2014.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The cattery business hereby permitted shall not be open to the public outside the hours of 9am to 12 noon and 2pm to 6pm at any time. Visits to the cattery, including collection and delivery of cats, shall be by appointment only.

Reason

To define the terms of the permission in the interests of safeguarding residential amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The cattery business hereby permitted shall only be used for the boarding of cats.

Reason

To define the terms of the permission, to allow the local planning authority to assess whether the use of the building for an alternative use is acceptable in this open countryside location and in the interests of protecting residential amenity in accordance with policies RD2 and DS1 of the North Lincolnshire Local Plan.

5.

Construction operations shall be limited to the following hours:

8am to 6pm Monday to Friday

8am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To define the terms of the permission, in the interests of safeguarding residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

Prior to the commencement of the use hereby permitted, a scheme for the collection, storage and disposal of waste shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented on commencement of the use and retained thereafter.

Reason

To define the terms of the permission, in the interests of safeguarding residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

8.

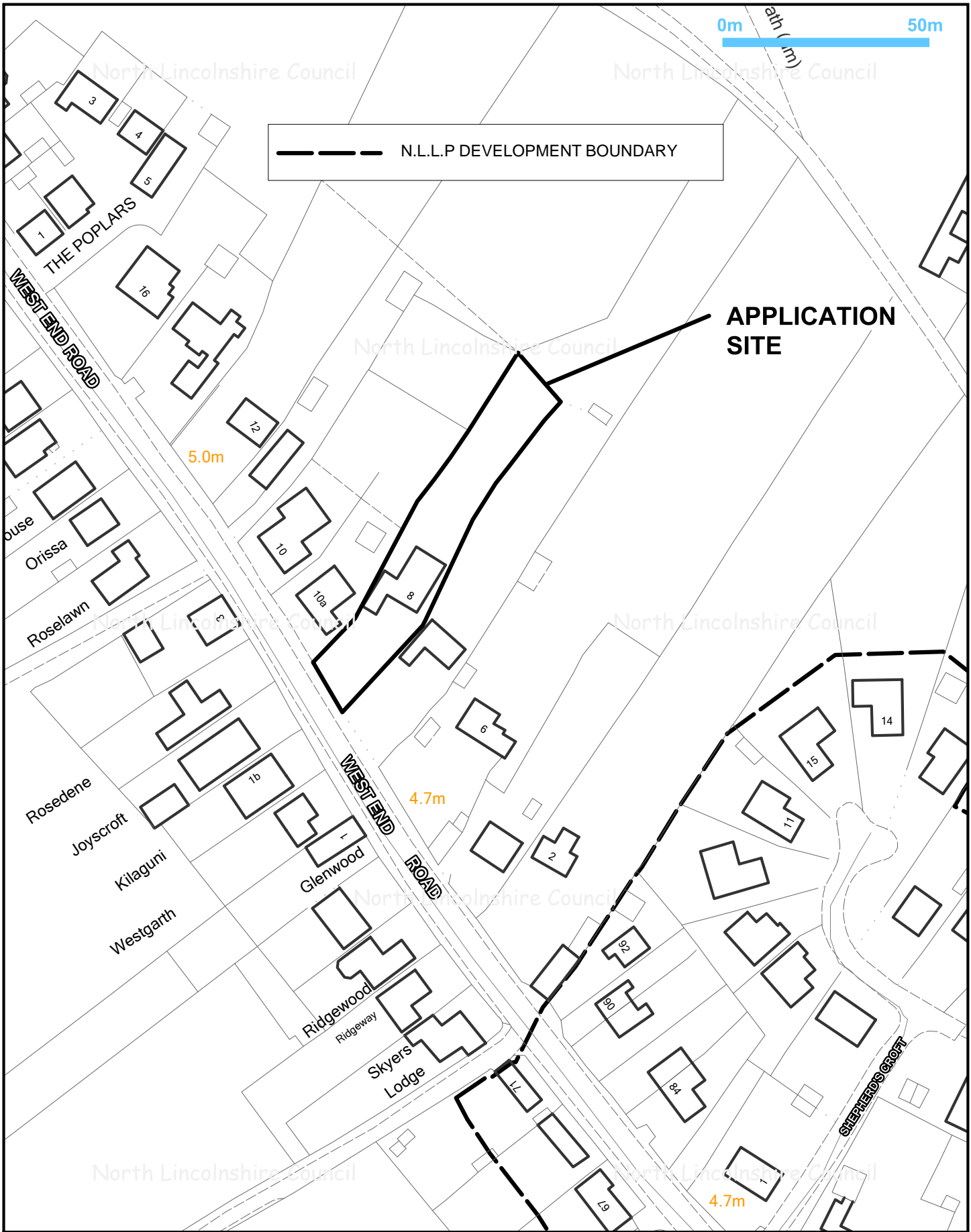
No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

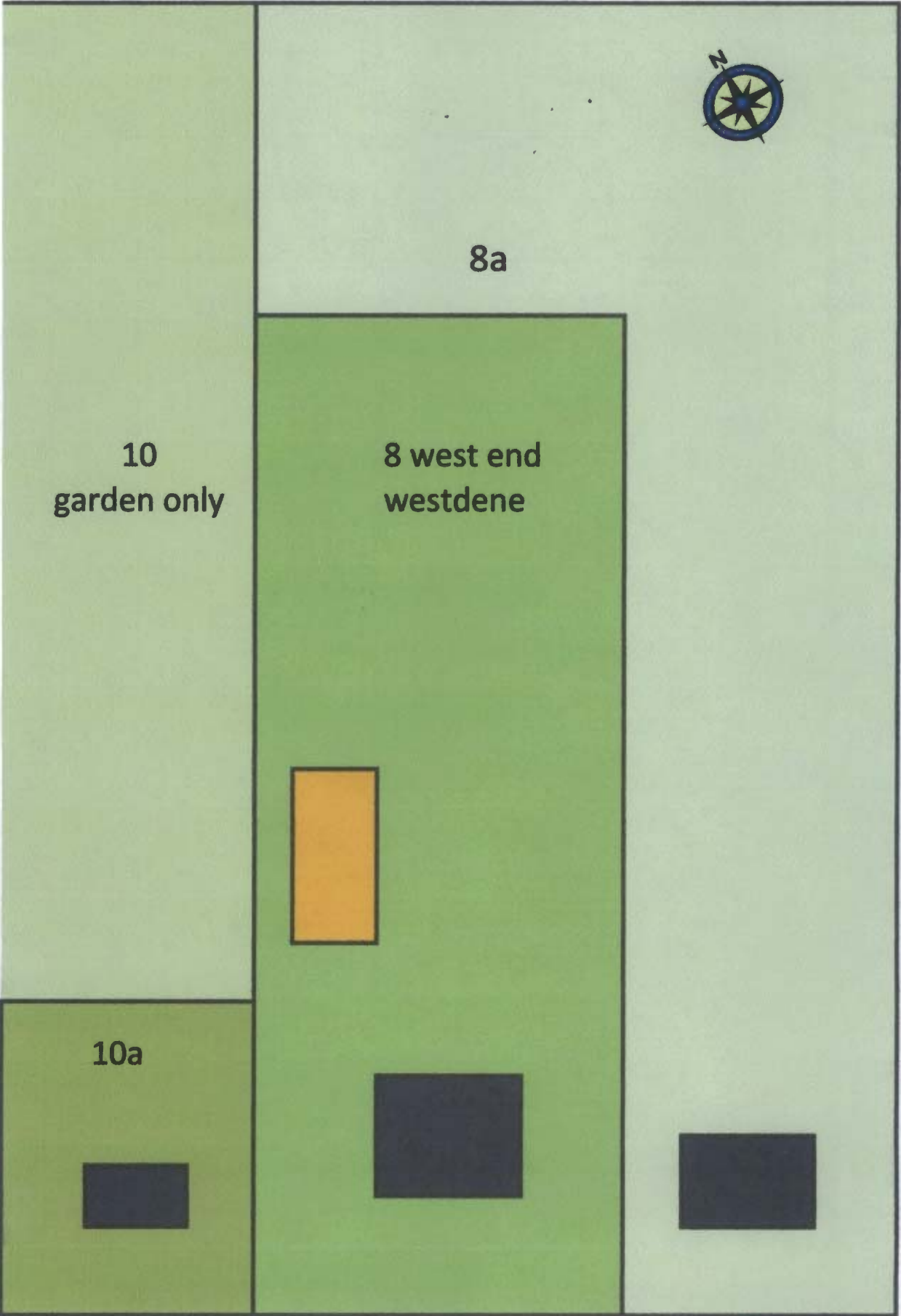
Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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PA/2014/0844 Proposed Elevations

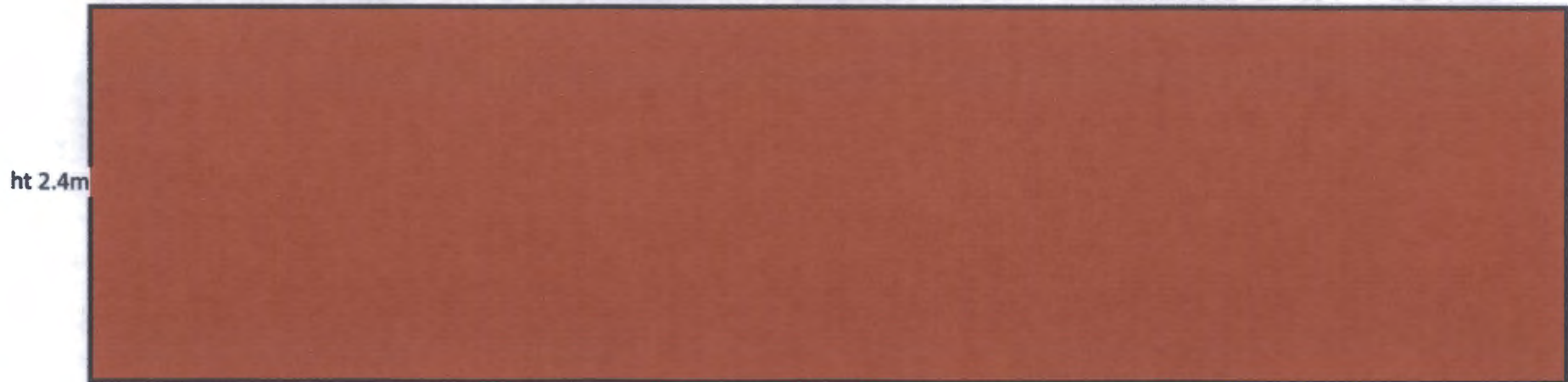
Front View

21 metres

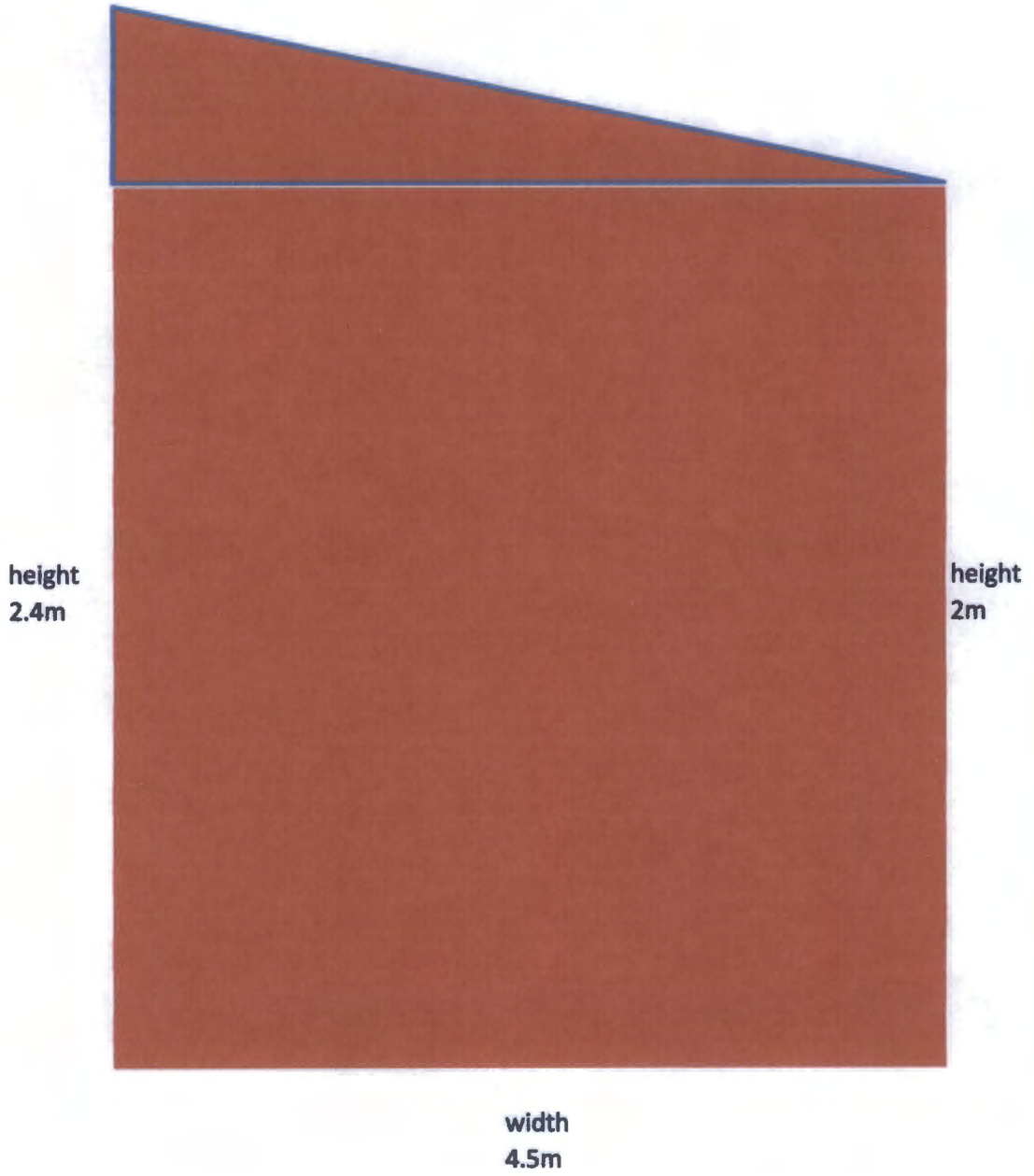


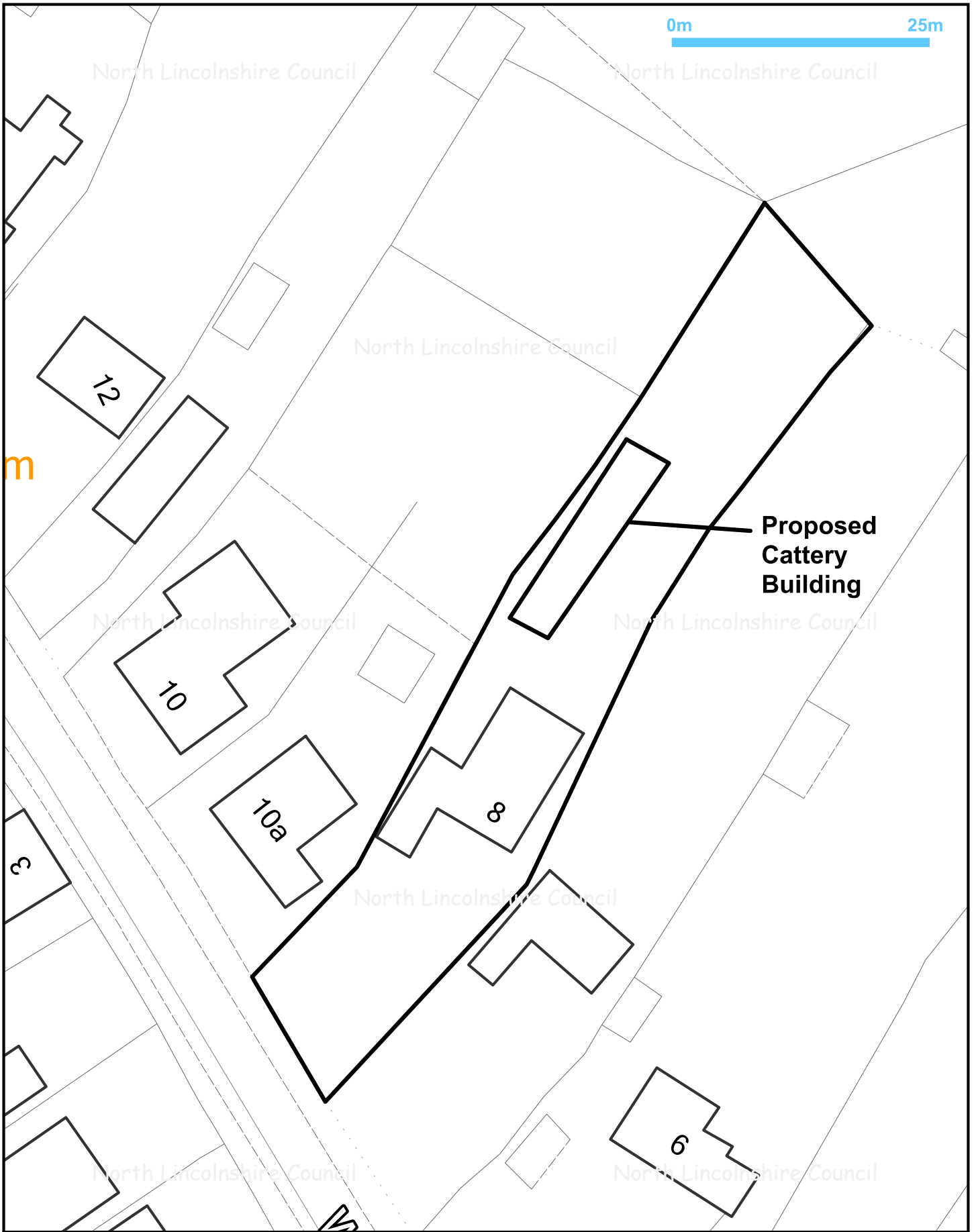
Rear View

21 metres



side view





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