

**Application Number: FYR14/0403/F
Minor
Parish/Ward: Whittlesey/Lattersey
Date Received: 9 May 2014
Expiry Date: 7 July 2014
Applicant: Mr T Thorpe
Agent: CPK Architects**

Proposal: Erection of boarding kennels for up to 40 dogs (to be constructed in 2 phases) and use of land for dog agility/exercise area

Location: 301 New Road, Whittlesey, Peterborough

Site Area/Density: N/A

Reason before Committee: This application has been called into Planning Committee by Cllr Garratt due to concerns relating to noise pollution, access and impact on the Lattersey nature reserve.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The application site is located on the edge of Whittlesey and is accessed from New Road (a byway). The site is operated as a livery and horse riding establishment, it has a dedicated area for visitor parking and is located within Flood Zone 1.

Planning permission is sought for the erection of a dog boarding kennels that would be constructed in two phases. There would be 40 kennels (overall) with a dedicated outdoor run, a reception area, office, cleaning and associated staff facilities. There would also be a dog grooming room and agility space provided in the north-west corner. This proposed use would operate alongside the existing livery and horse riding business.

Policies LP6 and LP12 allow appropriate proposals that support the rural economy providing that they would not harm the wide open character and appearance of the surrounding countryside and farmland. The group of proposed buildings would complement the existing forms of built development related to the livery and horse riding activities.

In view of the nature of the proposed use a noise assessment has been undertaken which has concluded that the development would result in noise emissions within acceptable limits, as such the development is not considered to have an adverse impact on neighbour amenity. This has been confirmed by the Council's environmental health team.

In terms of design the proposal would not have an adverse impact on the immediate locality. Given its juxtaposition to the existing group buildings the development would not cause an unacceptable level of harm to local amenity or adversely affect the character or appearance of the open countryside.

In highway terms, the Local Highways Authority has raised no objection to the increased activity on the highway.

Therefore the scheme is considered to accord with Policies LP1, LP2, LP6, LP12, LP15 and LP16 and the scheme is therefore recommended to Planning Committee with a recommendation for approval.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR02/0913/F	Formation of ménage	Granted
	F/YR02/0950/F	Erection of hay store	Granted
	F/YR04/3511/F	Change of use of hay store to snack bar (A3) and garage/store to sale of equestrian products (A1)	Granted
	F/YR05/0193/F	Erection of 2 x 2-bed self-contained flats to provide staff accommodation	Granted
	F/YR08/0372/F	Erection of a detached double garage with store over	Granted

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

- Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.
- Paragraph 28: Planning policies should support ... the development and diversification of agricultural and other ... rural businesses'
- Paragraphs 9 and 64: 'Pursuing sustainable development involves seeking positive improvements in the quality of the built ... environment ... 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'.

3.2 Fenland Local Plan (2014).

LP1 – Presumption in Favour of Sustainable Development

LP3 – Settlement Hierarchy

LP6 – Employment

LP12 – Rural Development

LP15 – Creation of a More Sustainable Transport Network

LP16 – Protecting High Quality Environments

4. CONSULTATIONS

- 4.1 ***FDC Licensing*** No objection – advises that the applicant will need to be licensed.

4.2	<i>Environmental Health</i>	Comments – There are two residential properties within 100m and 375m respectively. A noise assessment has been undertaken and the development has been found to be within acceptable limits.
4.3	<i>Middle Level</i>	Comments – a viable scheme for water level/flood risk management should be provided.
4.4	<i>Parish Council</i>	Object, raising the following concerns; <ul style="list-style-type: none"> • Noise pollution • New road forms part of a major cycle route • Stability and ownership of the bridge along New Road • New Road is a byway open to all traffic, whilst maintained by the County Council it will never be finished to highway standards. The road is not fit for purpose.
4.5	<i>CC Highways</i>	No objection subject to conditions securing parking, turning and visibility splays. Orally raised no objection to the additional traffic using New Road should permission be granted.
4.6	<i>Police Architectural Liaison Officer</i>	No objection.
4.7	<i>Fire Officer</i>	No objection subject to a condition being attached with respect to the implementation of fire hydrants.
4.8	<i>Local Residents</i>	3x letters of representation have been received raising the following matters: <ul style="list-style-type: none"> - Noise - Impact on wildlife - Traffic - Road in a poor state of repair

5. SITE DESCRIPTION

- 5.1 The application site is located on the edge of Whittlesey and operated as a ménage and horse riding establishment. There is a livery building, two ménages, two residential properties and a detached garage outbuilding. The site is accessed by New Road, a single track byway, and is located within Flood Zone 1.

6. PLANNING ASSESSMENT

The key issues for consideration to this application include:

1. Principle of Development
2. Design and Layout
3. Neighbour amenity
4. Access and Parking
5. Other Matters

6.1 1. Principle of Development

The application site is located on the edge of the settlement in open countryside. Policies LP6 and LP12 allow appropriate proposals that support the rural economy providing that they would not harm the wide open character of the countryside and farmland.

The site is currently paddock land forming part of an established horse riding and livery business use located in the open countryside. Currently the existing rural business comprises a small group of buildings. The proposed kennel activity would result in an expansion of the existing built area but its impact would not be significant and result in a diversification of an existing business which therefore the principle of development can be considered subject to addressing the following matters.

As the proposed kennels would form part of the same unit as the existing livery and horse riding business, and given the development has been considered on the basis of a diversification of this established business, it is considered that the increase in activity would not be so substantive as to warrant a refusal of permission.

2. Design and Layout

The proposed scheme would be constructed in two phases comprising pitched a group of single storey pitch roof buildings. Phase 1 would consist of 20 kennels and the associated reception and office area. These structures would have a floor area of 10m x 25m and 11m x 11m standing at 4.5m and 6.9m in height respectively. Phase 2 would provide another 20 kennels and would have a matching floor and ridge height. The structure would be constructed out of brick, cladding and timber boarding.

A parking area would provide for 13 parking spaces and a hard-standing pedestrian walkway would link the car park to the reception area. This would create a separate parking area to the riding school/livery business.

There is a row of mature conifers along the western boundary and whilst large the proposed building would form part of and read as the same unit as the existing livery and riding school. Subject to a condition seeking external material samples the proposal would not have an unacceptably adverse impact on the character and appearance of the countryside and would accord with Policy LP16 of the Fenland Local Plan (2014) and the NPPF (2012).

3. Neighbour Amenity

A noise assessment for 40 dogs has been submitted and its conclusions recommend the introduction of a three metre high acoustic fence along the western boundary and that no more than 8 dogs in the play area at any one time. On this basis the use would be within acceptable noise limits. Dogs would be kept within the building out of normal business hours. Therefore given the type of building construction and site management of the site, the proposal would not have an unacceptably adverse impact on neighbour amenity. Subject to conditions seeking that the noise mitigation is implemented in accordance with the submitted Noise Assessment the development would not have an adverse impact on neighbouring properties. The proposal would accord with Policy LP16 of the Fenland Local Plan (2014) and the NPPF (2012).

4. Access and Parking

It is noted that the development would result in an increase in the number of journeys along New Road, however given the levels of activity already associated with the existing livery business and riding school the scheme is not considered to have an unacceptably adverse impact on neighbours.

Concerns have been raised with respect to the state of New Road, the fact that it is a byway as well as the increase in traffic generated as a result of planning permission being granted, over and above that which is generated by the existing riding school and livery business. However, Highways have raised no objection subject to conditions being attached with securing turning, parking and the provision of splays. These matters can be secured by planning condition and the proposal would accord with Policy LP15 of the Fenland Local Plan (2014).

5. Other Matters

Impact on Wildlife – The application site is currently used as a paddock. The site is not considered suitable for protected species; however were protected species to be found using the site during construction they are protected separately under the Wildlife Act 1981.

7. CONCLUSION

The proposed expansion of the existing rural business for livery and horse riding development to include a dog kennel business would not result in an unacceptable encroachment into the rural countryside. The design of the kennels and main buildings are such that noise emissions would be minimised. Therefore the proposal would not have an unacceptable adverse impact upon the character or appearance of open countryside.

As a safeguard planning conditions relating to noise emissions, and parking are recommended if permission is to be granted in order to protect local amenity.

Therefore the proposal is recommended for **APPROVAL** subject to the following conditions

8. RECOMMENDATION

APPROVE

- 1 The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding the submitted details and prior to the commencement of development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.**

Reason - To ensure a satisfactory form of development.

- 3 Prior to the commencement of the proposed use the proposed on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use.**

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 4 Prior to the commencement of the proposed use details of visibility splays shall be submitted to the LPA for approval. Minimum dimensions to secure the required splays shall be 2.4m, measured along the centre line of the proposed access from its junction with the channel line of the highway carriageway, and 120m, measured along the channel line of the highway carriageway from the centre line of the proposed access. The splays shall be thereafter maintained free from any obstruction exceeding 0.6m above the level of the highway carriageway.**

Reason: In the interests of highway safety

- 5 The mitigation measures set out within Paragraphs 2 and 3 of the submitted noise assessment (Acoustic Associates Peterborough JG/J2844/15144-1 July 2014) shall be implemented in accordance with the approved document. For the avoidance of any doubt the acoustic barrier along the western boundary shall be an acoustic fence/barrier only and shall not be an earth bund as recommended.**

Reason: In the interests of protecting neighbour amenity and the visual appearance of the area.

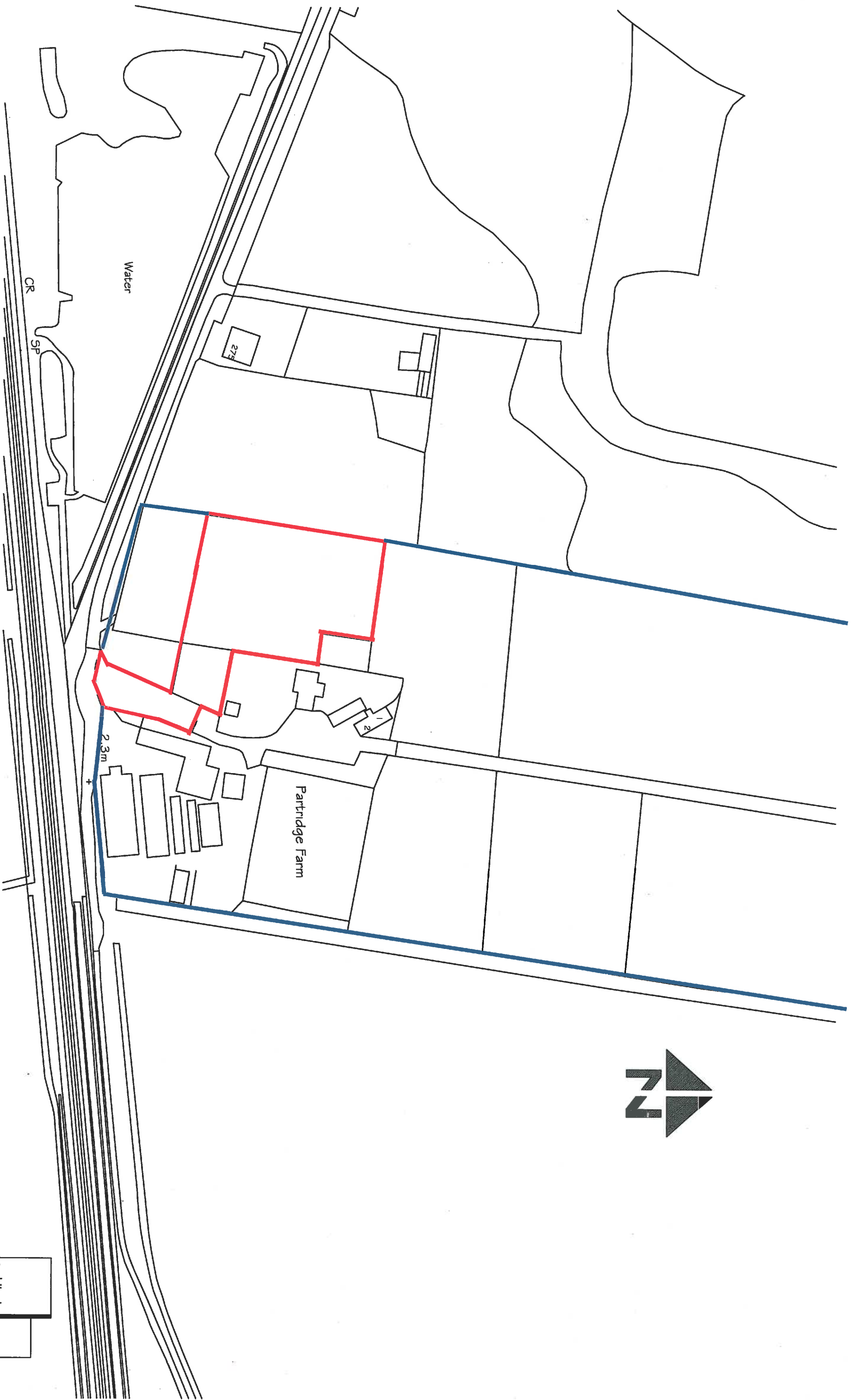
- 6 **Notwithstanding the submitted details the dog kennel business shall operate in conjunction with the horse riding/livery business, as shown in blue on the submitted O/S site location plan, and shall not be operated as independent units.**

Reason: In the interests of protecting the character and amenity of the area.

- 7 **Notwithstanding the submitted details and prior to the commencement of development a materials samples of external walling, roofing, openings and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be constructed in accordance with the approved materials.**

Reason: In the interests of protecting the character and amenity of the area.

- 8 **Approved plans**



Revisions:
Rev. A, May 2014 - Red line amended to include access to highway.

Notes:
Do not scale from this drawing. All discrepancies should be reported to the client immediately. This drawing is for information only and does not constitute an offer of any services. All intellectual property rights are the copyright of CPK Architects.
Scale: 1/1250
Street Size: A3
Date: MAY 2014
Drawn By: CPK

Description:
Location Plan

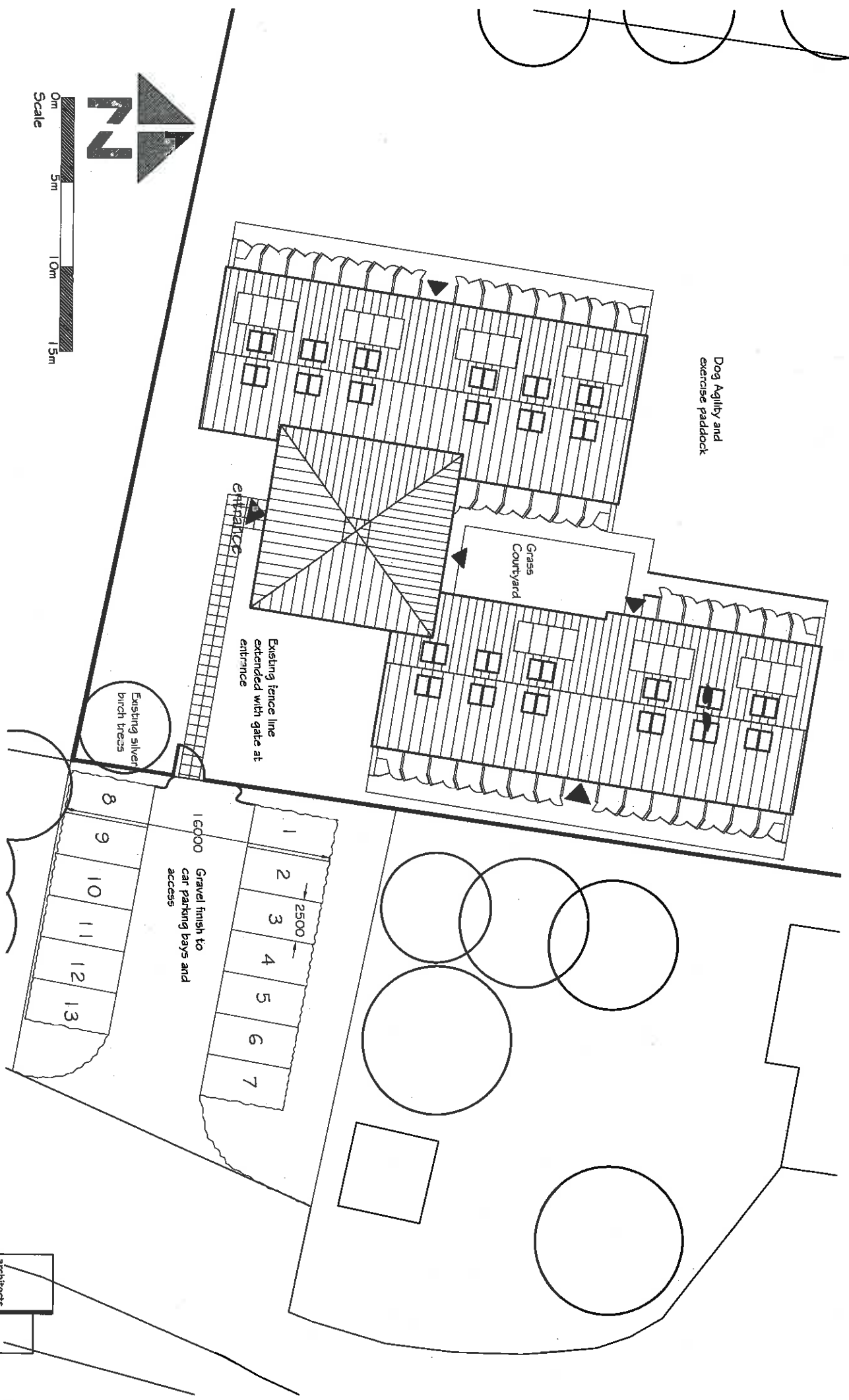
Title:
Partridge Farm kennels
Whittlesey
Drawing Number: THO LP01
Rev: A

CPK Architects
Chartered Architect
45 Westwood Park Road
Peterborough
PE3 6JL
t: 01733 314738
m: 07843 328293
e-mail: ktrby485@btinternet.com

architects



Dog Agility and exercise paddock



Proposed Site Plan

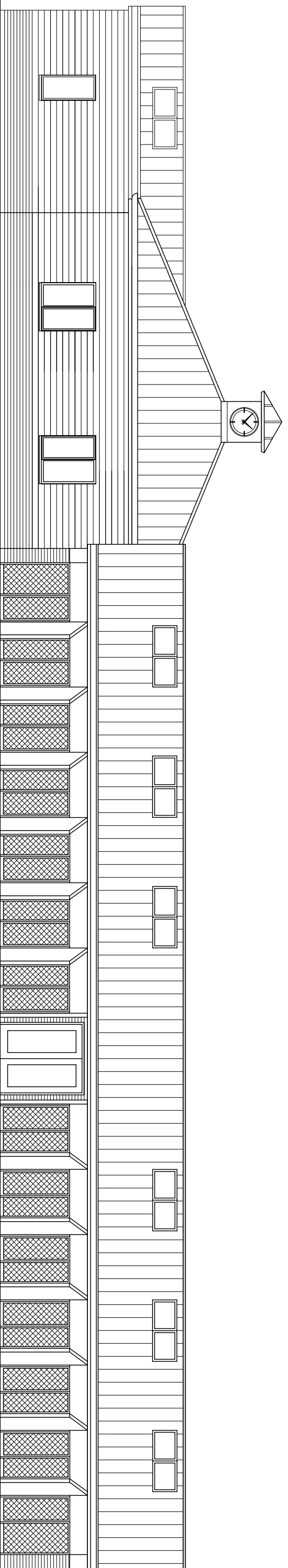
Partridge Farm kennels
Whittlesey

THO PLO4

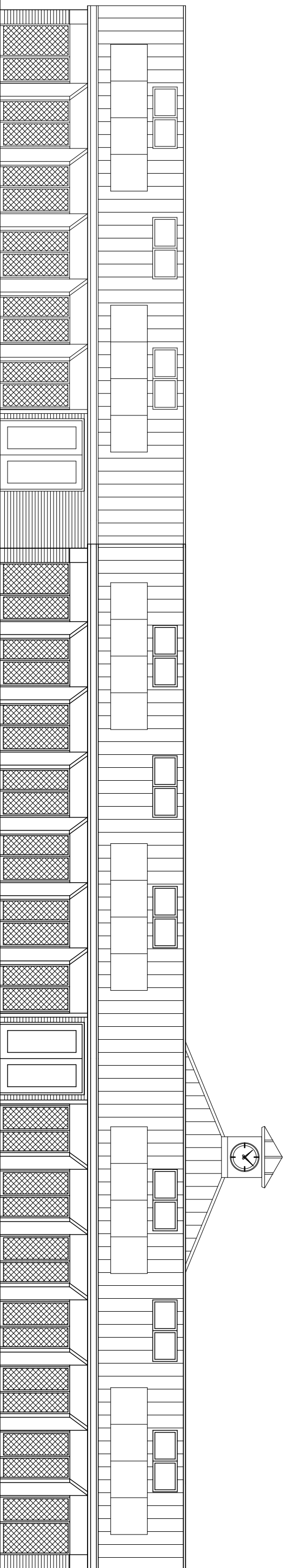
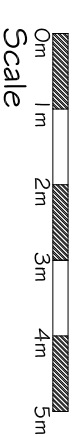
CRK Architects
Chartered Architect
43 Westwood Park Road
PE3 6JL
T: 01733 314738
M: 077843 328293
E: email: info@crkarchitects.com

cpk

Do not scale from this drawing. All dimensions should be reported to the architect. This drawing should be read in conjunction with the other documents of CRK Architects. All financial property rights are reserved.
Scale: 1/200
Project Size: A3
Date: APR 2014
Drawn By: CPK



East Elevation



West Elevation

Revisions:

Rev A: May 2014 - Corrections to drawing.

Notes:

Do not scale from this drawing. All discrepancies should be reported to the architect. This drawing should be read in conjunction with the specification and standard details. All intellectual property rights are the copyright of CPK Architects.

Scales: 1/100

Sheet Size: A3

Date: APR 2014

Drawn By: CPK

Description:

**PROPOSED SIDE
ELEVATION**

Title:

**Partridge Farm kennels
Whiteley**

Drawing Number:

THO P106

Rev:

A

CPK Architects
Chartered Architect
45 Westwood Park Road
Peterborough
PE3 6JL

t: 01733 314738
m: 07843 328293
e-mail: kirby485@btinternet.com

architects

cpk