

APPENDIX 1 - S/1062/06/F - FEN DRAYTON

**CHANGE OF USE FROM FARM SHOP TO DWELLING IN ASSOCIATION WITH
DOG TRAINING AND
ERECTION OF ADDITIONAL/RETENTION OF EXISTING KENNELS**

AT

40a MIDDLETON WAY, FEN DRAYTON

APPLICANTS: Mr & Mrs R Ingle

Prepared for

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June 2006

RT/LMJ/SCDC/Middleton Way/rpt

1.0 INTRODUCTION

This report has been prepared by Roland Thomas MRICS of Acorus Rural Property Services Ltd on the instructions of South Cambridgeshire District Council.

The aim of the report will be to assess the submitted application against the provisions of the development plan and in particular Planning Policy Statement 7 (PPS7) Sustainable Development in Rural Areas.

2.0 SITE VISIT AND INSPECTION

A visit and site inspection was undertaken on Wednesday 21 June 2006 during which time observations were made where appropriate and the application discussed with Mr and Mrs R Ingle.

Site Background

Mr and Mrs Ingle originally acquired Number 40 Middleton Way, a former land settlement association holding, which included the main dwelling and glasshouses extending to approximately 3.5 acres (1.4 hectares).

Initially Mr Ingle utilised the glasshouses and the unit was under an agricultural regime although due to changing economic conditions he decided to consider other income generating alternatives and ultimately in 1988 the original dwelling was sold and the balance of the land retained, thereafter subsequently known as 40a Middleton Way.

Mr and Mrs Ingle now live in Fen Drayton approximately three quarters of a mile from the site.

3.0 BACKGROUND

Proposals

The application proposals include:-

- i) change of use of farm shop to dwelling,
- ii) erection of new kennel block, and
- iii) retention of existing kennels.

4.0 EXISTING BUSINESS OPERATIONS

The site at present extends to approximately 3.5 acres (1.4 hectares) and includes the original farm shop which forms the subject for the reuse proposals to a dwelling and two blocks of glasshouses in poor condition. The existing brick dog kennel unit contains six double kennels for up to twelve dogs and a garage/work shop.

On the day of my visit there were four dogs being housed, albeit with the capacity for twelve. The dogs are all owned by Mr Ingle who presently really only utilises the site for personal pleasure although there have in the past been larger numbers of dogs.

Mr Ingle is currently licensed and regulated by the National Greyhound Racing Club who have strict criteria in terms of supervision and management of any establishment, one of which being a prerequisite for residence on site to service the unit.

It is Mr Ingle's intention to expand the unit by erecting a new block of twenty double kennels incorporating two units for storage etc which would give a total capacity with the existing unit of up to fifty two dogs, although the aim is to enable thirty racing dogs to be housed with spare kennel space for sick/lame dogs and breeding of one litter per year.

The supporting documentation with the application includes a letter from the proprietor of Henlow Greyhound Stadium in Bedfordshire and states that due to expansion and modernisation they are actively seeking more graded greyhounds and would therefore welcome an increase in racing dogs. Mr Ingle is seeking professional status as a greyhound trainer which would be of overall benefit to his proposed establishment.

The kennels at the site have their own exercising ranges and the balance of the land utilised for resting/recuperating dogs together with providing space for training traps.

The former farm shop as I understand since 1996 has been used for more informal storage purposes.

5.0 BASIS OF ASSESSMENT

PPS7 states that there may be instances where special justification exists for new isolated dwellings associated with rural based enterprises and in these cases the enterprise itself, including any development necessary for the operation of the enterprise must be acceptable in planning terms and permitted in that rural location, regardless of the consideration of any proposed associated dwellings.

Local Planning Authorities should apply the same stringent levels of assessment to applications for such new occupational dwellings as they apply to applications for agricultural and forestry workers dwellings, therefore the same criteria and principles in Paragraphs 3 – 13 of Annex A of PPS7 would be applied and in the manner and to the extent that they are relevant to the nature of the enterprise concerned.

5.1 Change of Use of former Farm Shop to Dwelling

PPS7 Annex A Paragraph 12 states that if a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an

established one, it should normally, for the first three years, be provided by a caravan or a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need (see paragraph 4 of this Annex);
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, e.g. on siting and access, are satisfied.

5.2 Erection/Retention of Kennel Buildings

In terms of the kennel buildings themselves, I consider the key criteria again to be PPS7 and in this respect the Government's key objectives are:-

- (i) To raise the quality of life and the environment in rural areas through the promotion of:
 - thriving, inclusive and sustainable rural communities, ensuring people have decent places to live by improving the quality and sustainability of local environments and neighbourhoods;
 - sustainable economic growth and diversification;

- good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside; and
- continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources.

(ii) To promote more sustainable patterns of development:

- focusing most development in, or next to, existing towns and villages;
- preventing urban sprawl;
- discouraging the development of 'greenfield' land, and, where such land must be used, ensuring it is not used wastefully;
- promoting a range of uses to maximise the potential benefits of the countryside fringing urban areas; and
- providing appropriate leisure opportunities to enable urban and rural dwellers to enjoy the wider countryside.

(iii) Promoting the development of the English regions by improving their economic performance so that all are able to reach their full potential - by developing competitive, diverse and thriving rural enterprise that provides a range of jobs and underpins strong economies.

(iv) To promote sustainable, diverse and adaptable agriculture sectors where farming achieves high environmental standards, minimising impact on natural resources, and manages valued landscapes and biodiversity; contributes both directly and indirectly to rural economic diversity; is itself competitive and profitable; and provides high quality products that the public wants.

Paragraph 15 states that planning policy should provide a positive framework for facilitating sustainable development that supports traditional land based activities

and makes the most of new leisure and recreation opportunities that require a countryside location.

6.0 COMMENTS AND OBSERVATIONS

6.1 Change of Use of Former Farm Shop to Dwelling

6.1.1 Evidence and Intention to Develop the Enterprise

Naturally part of the proposals include the retention and erection of additional greyhound kennels and from the information submitted together with my observations on site, I'm reasonably satisfied that there is an intention to develop the unit and it would certainly appear that Mr Ingle has the relevant expertise and knowledge in terms of the technicalities of training through his long standing interest.

6.1.2 Functional Need

The application submitted is largely dependant on the proposals i.e. to increase the number of dogs to around thirty five with potential for additional kennelling. On the basis that the application for the dwelling forms part of the overall scheme to develop the business once this is at the levels suggested then I consider that there will be a functional need to be on site in terms of providing a range of managerial duties such as feeding, exercising dogs, training and supervision. Also I am aware of the potential value of racing greyhounds and that site security is of paramount importance.

6.1.3 Financial Test

Clearly at the present stage the unit is not commercially viable largely forming a hobby/personal interest for Mr Ingle although a cash flow projection for the proposed greyhound training business has been provided based on approximately thirty greyhounds being housed by the end of Summer 2006. On the basis of the budget provided for the proposals I am reasonably satisfied that the enterprise has been planned on a sound financial basis. However, actual figures will ultimately need to be provided to support any permanent dwelling.

6.1.4 Other Accommodation

As previously mentioned the original house Number 40 Middleton Way was sold off I understand in 1988 and I acknowledge that this was a substantial time ago and at a stage where there was apparently no need for a dwelling to service an on site business.

Mr and Mrs Ingle currently live in Fen Drayton about three quarters of a mile from the site and their son also lives in Fen Drayton a similar distance from the subject site.

6.1.5 Other Issues

There is currently adequate existing access and in terms of siting this is for the existing former farm shop which is an established building, the proposals merely relate to a change of use.

6.2 Comments and Observations in terms of the Erection/Retention of Dog Buildings

I consider the key criteria to be as follows:-

6.2.1 Appropriate Development

One of the key issues, particularly bearing in mind the status of the location, is the appropriateness of the development. Mr Ingle contends that the development as such is an appropriate use in this semi rural location and coupled with the fact that the nature of the enterprise does in itself generally require a rural or semi rural location, I tend to concur that the use is generally acceptable.

6.2.2 Siting and Design

The existing dog kennel unit is a little under 40 square metres and the proposed new kennels slightly over 100 square metres and as such do not therefore represent a substantial development in terms of size.

The units would be sited within relative close proximity to the proposed dwelling and provide access to the dog ranging paddocks.

The existing unit is of relatively modest brick construction with a mono pitch tin roof and the proposed new building will be of block work with either facing brick or rendering externally again with a mono pitched roof with profiled steel cladding. Eaves height is approximately 2.2. metres and the building as such reasonably compact/low key.

6.2.3 Environmental and Landscape Quality

As previously stated the unit originally formed part of the land settlement association holding with a range of other units in the locality. These other units over the years have gradually become less and less viable in terms of traditional agricultural/horticultural activities and as a result former glasshouses have either been removed or generally become redundant.

We do not consider that the proposed buildings will have any significant detriment on the environment or landscape quality and possibly a planning gain could be achieved by the removal of the derelict/semi derelict glasshouses.

In addition any impact of the existing/new dog kennels could potentially be mitigated via the incorporation of additional landscaping.

6.2.4 Other Issues

The unit is relatively close to other dwellings along Middleton Way and there is a possible conflict with neighbourhood amenity in terms of potential noise and smells etc emanating from the site although at the date of my visit albeit with only a modest number of dogs, there was no particular noise or smell from the existing kennels. Also, the direction of the prevailing westerly wind would carry any potential smells/noise away from Middleton Way.

7.0 CONCLUSION

In respect of the change of use of the former shop to an occupational dwelling I have assessed this in terms of a temporary dwelling since this is based on future proposals. From my observations and the information submitted, I consider that the criteria in PPS7 to be generally satisfied and would be supportive of temporary consent for approximately three years so as to allow the full establishment of the unit. Thereafter, for any permanent accommodation, I would apply the criteria relevant to permanent dwellings and would want to be fully satisfied particularly of the functional and financial aspects together with the overall sustainability of the unit.

In terms of the retention and new kennels which run alongside the change of use proposals, again I am not opposed to the scheme as presented although I do feel it would be prudent to invite proposals in terms of a planning gain particularly in respect of removal of derelict glasshouses and landscaping. Also the Planning Authority may wish further details/confirmation in respect of any impact on neighbourhood amenity from any potential noise/smell. In addition I would seek a Section 106 Agreement so as to tie the land buildings and dwelling as one overall unit.