

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 June 2014

AUTHOR/S: Planning and New Communities Director

Application Number: S/2529/13/FL

Parish: Croydon

Proposal: Retrospective application for part change of use of dwelling to part dwelling and part breeding of dogs; retention of use of 3 x buildings for dog breeding and the proposed erection of a new building for dog breeding.

Site address: Portelet, High Street (Broadreach dogs)

Applicant(s): Mrs Anne Wood

Recommendation: Approval

Key material considerations: Principle of the development, Neighbour Amenity, Impact upon the character of the area.

Committee Site Visit: 3 June 2014

Departure Application: No

Presenting Officer: Debra Bell

Application brought to Committee because: The officer recommendation conflicts with the recommendation of Croydon Parish Council

Date by which decision due: 5 May 2014

Planning History

1. SC/0009/53 - Erection of dwelling house – Approved
S/0513/81/F - Extensions and new garage – Approved
S/0439/84/F - Extension – Approved
S/0215/92/F - Removal of agricultural occupation condition on planning permission
SC/0009/53 – Approved
S/1539/05/F - Riding Arena, stables and access – Refused.
S/0332/06/F - Fenced Riding Arena – Approved.
S/1426/09/F - Hardstanding area (retrospective) – Approved.

Planning Policies

2. National Planning Policy Framework

3. South Cambridgeshire LDF Core Strategy DPD, 2007:
Policy ST/7 Infill Villages
4. South Cambridgeshire LDF Development Control Policies DPD, 2007:
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
NE/14 Lighting Proposals
NE/15 Noise Pollution
5. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
District Design Guide – March 2010
6. Draft Local Plan:
HQ/1 Design Principles
S/2 Objectives of the Local Plan
SF/7 Development Frameworks
SF/11 Infill Villages
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

Consultations

7. **Croydon Parish Council** -Recommends refusal and raised the following concerns –
 - a) Outside the village framework
 - b) Adverse effect on the residential amenity of neighbors by reason of noise disturbance.
 - c) A commercial development would completely change the character of the neighbourhood, which is a quiet rural village
 - d) Strong feeling in the village against the development.
8. **Environmental Health Officer** -The complete report can be viewed in Appendix 1. In summary there are no objections to the development subject to the following conditions being attached to any approval given:
 - a) The applicant should replace the existing single glazed windows to the maturing puppies whelping room with enhanced double glazing (10mm glass/6-20mm cavity) or should upgrade the existing single glazed windows to the maturing puppies whelping room with secondary glazing (a separate pane of 6mm glass spaced 100mm from the existing window).
 - b) The applicant should increase the sound absorption within the maturing puppies whelping room by the addition of around 6m² of Echosorba high performance stick-on acoustic panels for both ceiling and walls.
 - c) The applicant should construct a suitable building (marked building A on the submitted block plan) for quarantining/housing puppies older than 8 weeks.
9. **Local Highway Authority** - Raised no objections.
10. **County Council Footpaths** – No objections received and commented –

Croydon Public Footpath No.12 is situated near to the application site, however as it is not directly affected by the development, the County Council has no comments to make on this occasion.

11. **Ramblers Association** - None received.

Representations

Letters of Support from Employees

12. 45 Wimpole Road Barton – Fully supports the proposals and commented –
'In 2012 I began working for Anne Wood as an apprentice in animal care. This opportunity provided me with both a qualification and work experience that is would have otherwise been difficult to find in the area. Since finishing my apprenticeship in 2013 I have been working for her as a dog groomer, again the business has provided me with experience necessary to further me career by achieving higher qualifications. In my time working for Mrs Wood I have never experienced any excessive noise from the dogs that was not dealt with promptly'.
13. 99 Garden Walk Royston- Supports the proposals and commented –
'I would like you to be aware of how I value Broadreach Dogs as an ongoing business. I was very pleased to be able to start work there, it is hard to find a job working with animals, that is local and which isn't voluntary. Broadreach dogs is my main source of income'.
14. Newhouse Buckworth Road Woolley – Commented –
'I have worked for Broadreach dogs for many months, working here has been the quietest dog establishment I have worked at, I have house sat on many occasions and the barking has never been an issue, we have also made many improvements. I live locally and there are no ther jobs around me offering the same/similar jobs. If it wasn't for Anne's business I would either be unemployed of having to travel greater distances'.
15. 7 Barron's Green Shepreth – Commented –
'I live locally therefore this job is convenient for me as there are not many jobs where I have the opportunity doing what I want to do'.
16. 12 Park Close Bassingbourn- Commented –
'Jobs are few and far between these days especially in animal care so it would be a big shame if it would have to close, the dogs are all looked after very well and it is a lovely happy place to work'.
17. 12 Green Lane Braughing – Commented –
'It would be a real shame if Anne were to close the business due to some of the village objecting especially after all the hard work and money that's been put in when all she is doing is trying to earn a living and provide jobs for us local people'.
18. 13 Mill Road Great Gransden – Full support given and commented –
'During various visiting times throughout the day and evening there have been no issues with barking, the business should be encouraged to continue as it is making employment for local people'.
19. Moxhill Farm, Northill Road, Cople – Commented –
'I have worked as a cleaner for Anne Wood over a number of years and visit her property on a weekly basis; during my times there I have not been aware of any dog

noise nuisance. The dogs are very well behaved and are no trouble at all. I also clean for another lady in the village, when at this property I have not heard any dogs barking or any such noise coming from the direction’.

Neighbour support

20. Manor Farm Croydon – Supports the proposals and commented-
‘We have never had any noise issues from barking dogs and that it is of benefit to the village to have a small business which offers employment to youngsters. They also stated that there are several dogs in the village which they do hear and get disturbed by’.

Support from local businesses / trades

21. The Dog House, Kingfisher Cottage, New Shingay, Shingay-cum-Wendy –
The Dog House is Home Dog Boarding Service which provides a home sitting service for a number of dogs at the site, they commented –
‘Should we lose the Broadreach family of dogs it will have a direct impact on our business’.
22. DC Window Cleaning, 16 Cambridge Road, Wimpole – Commented –
‘I clean windows in all areas of the village ranging from Casa Mia at the start through to Windy Ridge on Larkins Road. My round incorporates areas such as The High Street and Clopton Close. Up until they moved a couple of years ago I cleaned at the neighbors of Ms Wood. My work means that I can be in the village at different times of the day. I can honestly say that during all my years of working in Croydon I have never once heard the dogs barking, or heard any other noises coming from the property’.

Neighbour objections

23. Catkins, High Street- Raised the following objections –
- a) Dogs barking
 - b) Excavation of agricultural land for non-agricultural purposes
 - c) Development out of place for a residential village
24. Pennyfarthing House, High Street - Raised the following objections –
- a) Intermittent noise from barking dogs
 - b) Objects to the development being undertaken without planning permission
 - c) Destruction of landscape
 - d) Disturbance from visitors looking for the property with no signage
 - e) Inappropriate development for the location
25. The Old Post Office, High Street – Raised the following objections –
- a) Scale of the development
 - b) Noise of dogs barking and people shouting
26. Melrose Cottage, Larkin’s Road – Raised the following objections –
- a) Noise issues with barking dogs
 - b) Smells when the bins are emptied
 - c) Changes to landscape

Planning Comments

27. The key issues to consider in this instance are the principle of development, impact upon the character and appearance of the area, neighbour amenity and economic and social objectives.

28. The site is located outside of the village framework of Croydon and in the Countryside.

Principle of Development

29. The use is primarily for the business of the owner and occupier of Porte let Mrs Anne Wood.

30. Policy DP/7 states that outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The implication of dog breeding and the potential for noise is regarded to constitute the need for such use to be located away from built-up areas.

31. There are 4 existing buildings to the west of the dwelling which are recognised for the needs of the dog breeding business. The buildings are as shown on the block plan –

- a) Stables – used for the keeping of horses and dog breeding.
- b) Kennel block (type 'B' with planning permission) used for dog breeding.
- c) Kennel Block (type 'B' retrospective) used for dog breeding.
- d) Cabin (type 'C' retrospective) used for staff.

32. The use is located near to the existing dwelling, part of which is used for the birthing of puppies and importantly needs someone close by to help. The location is important to the safe running of the business in that someone needs to be 'on-hand' 24 hours a day and in terms of –

- Animal welfare and regular feeding times
- Puppy purchases / Viewings
- Assisting with the births and potential difficulties
- Exercising the dogs
- Supervision of staff
- Security

33. The application includes the erection of an additional cabin /stable (Type 'C' on the block plan) for dog breeding/quarantine and keeping of puppies over 8 weeks.

34. The buildings are required as part of the development, the visual impact of these buildings is assessed separately below.

Impact upon the character and appearance of the area

35. The following considerations have been taken into account in relation to the visual impact of the development:

- a) Small size and scale of the development with the single storey height of the buildings.
- b) Natural screening of well-established and dense hedging.
- c) Appropriate use of timber materials and rural appearance to the majority of the buildings.

36. Taking the aforementioned factors into account the site is considered to retain a rural feel and appearance which consequently preserves the character of the area.

37. There is a single additional building required, labelled 'Cabin A' on the submitted block plan. No objection is raised to the simple form and small scale of the building.
38. No external alterations are required for the part change of use to the dwelling and therefore there is no detrimental visual impact as a result of changes to the dwelling.
39. The existing cabins/stables (buildings) and proposed cabin nestle at the bottom of the hill, there are no obvious public views of the site as it is adequately screened from the High Street by an established hedge containing mature trees. Further visual mitigation is provided with the rising land levels, rising from the High Street to the North. The buildings are concentrated in one area which has its own existing access.

Neighbour Amenity

40. To the Northeast of the site lies the neighbouring dwelling of Catkins. The application site and Catkins sit side by side fronting the High Street and are separated by the main driveway, parking and turning area to Portelet with well-established boundary hedging dividing the two properties. To the side of Catkins there is a double garage and sitting out area along the shared boundary.
41. The utility room which is now used as a utility room and whelping room has windows facing Catkins. The main concern is from the noise of barking dogs and in order to mitigate any future noise issues, conditions will be added to the decision as recommended by the environmental health officer.
42. The Environmental Health Officer has no significant concerns regarding noise or smells at the site. The application can be approved provided the proposed conditions are applied.

Economic and social objectives

43. The proposal would redevelop the site to create small scale economic development in the location and which is very close to the village framework boundary, approximately 130 metres to the east of the site.
44. The development supports 8 jobs and would therefore contribute economically and socially to the area by contributing to local employment provision. Consequently, the proposal would positively contribute to sustainable economic growth by providing a wider range of local employment opportunities, close to the village framework in accordance with Policy ET/4 and Chapter 3 of the NPPF.

Conclusions

45. Careful consideration has been given to the concerns of neighbours regarding noise and odour impact and subject to the recommended conditions the development is found to accord with policies DP/3 and NE/15.
46. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

47. Approve subject to the following conditions:

Conditions

- a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon).
- b) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan Showing Site Layout, Block Plan, Floor Plan of Part of House – Internal Layout of Areas Used for Dog Breeding, Elevation and Floor Plan of House, Proposed Design of Cabin 'A', Cabind 'B', Cabin design 'C', Cabind 'D' Existing date stamped received 25 Feb 2103.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
- c) Within 3 months of the date of this decision the windows to maturing puppies whelping room (the east elevation of the utility room) shall be replaced / enhanced with double glazing (10mm glass/6-20mm cavity) or should upgrade the existing single glazed with secondary glazing (a separate pane of 6mm glass spaced 100mm from the existing window).
(Reason – In order to secure a reduction in the noise level emanating from the building in accordance with Policy NE/15 of the adopted Local Development Framework 2007).
- d) Within 3 months of the date of this decision the whelping room shall be acoustically insulated in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.
(Reason – In order to secure a reduction in the noise level emanating from the building in accordance with Policy NE/15 of the adopted Local Development Framework 2007).
- e) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason – To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Frameworks 2007).
- f) The use, hereby permitted, shall be carried on only so long as the residential property Portelet, High Street is occupied by the present or any future owner of the application premises or by an employee of such an owner working at the application premises.
(Reason – To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007).

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;

- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- National Planning Policy Framework 2012
- South Cambridgeshire Local Plan, Proposed Submission July 2013
<http://www.scambs.gov.uk/localplan>
- Planning File References: S/2529/13/FL

Report Author: Debra Bell – Planning Officer
Telephone: (01954) 713263