

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 3<sup>rd</sup> August 2005

**AUTHOR/S:** Director of Development Services

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### **S/1239/05/F - Caldecote**

### **Erection of Building and Use of Land as a Cattery at The Shieling, Highfields Road, Highfields for Mr M Rush**

#### **Recommendation: Refusal**

**Date for determination: 18th August 2005**

Members will visit the site on Monday 1<sup>st</sup> August.

#### **Site and Proposal**

1. The application relates to land located in the open countryside to the north west of the Highfields area of Caldecote. The site is a grazing field adjacent to the applicant's house which is not screened on its boundaries. Access to the site is via an unmade single-width track between Highfields Road and the A428 St Neots Road. This is also Public Right of Way 38/1 (Caldecote).
2. The full planning application, received 23<sup>rd</sup> June 2005, proposes the erection of a single-storey building for use as a cattery. Dimensions 18.5m x 12.1m x 3.2m height. The proposed external materials are black stained shiplap boarding and green uPVC profiled sheeting roof. The plan shows 20 'cabins' with runs for the cats. The applicant's wife would operate the cattery herself, as the sole employee.
3. Car parking adjacent to the house is proposed. The applicant estimates that the use will generate 1 traffic movement a day. The plan indicates that traffic would be encouraged to access the site from the south via Highfields Road.

#### **Planning History**

4. S/0034/04/F Erection of cattery: refused under delegated powers 10<sup>th</sup> Nov 2004  
S/0033/04/F Erection of replacement outbuilding: approved under delegated powers 2<sup>nd</sup> November 2004  
S/0313/03/F Erection of replacement dwelling and garage: approved 8<sup>th</sup> April 2003  
S/1270/01/F Erection of replacement dwelling and garage: approved 6<sup>th</sup> September 2001

#### **Planning Policy**

5. Cambridgeshire and Peterborough Structure Plan 2003  
**P1/2** (Environmental Restrictions on Development)- development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.  
**Policy P2/6** (Rural Economy) – sensitive small-scale development in rural areas will be facilitated where it contributes, *inter alia*, to supporting new and existing businesses; to farm or rural diversification where appropriate to the rural area; to the re-use of existing buildings; towards helping to maintain or renew the vitality of rural areas.

**P8/1** (Sustainable Transport – Links between Land Use and Transport) – LPA's should ensure that new development provides appropriate access from the highway network that does not compromise safety.

6. South Cambridgeshire Local Plan 2004  
**EM10** (Conversion of Rural Buildings and Future Extensions) – outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use subject to a number of provisions.

### **Consultations**

7. **Caldecote Parish Council** – refusal on the grounds that there will inevitably be an increase in traffic movements onto a busy and fast section of an A classification road (A428). If approved, a condition should be imposed that there is no right turn across traffic. A legal agreement should be secured for maintaining the road/public right of way (Path 1 Caldecote) and a flood risk assessment should be provided.
8. **County Highway Authority** – to be reported verbally. In response to S/0034/04/F, the HA was not satisfied that vehicles could be prevented from accessing the site direct from the A428. The HA was not in favour of the access road being gated due to the public footpath running along. The use of bollards should be investigated. Improvements to the Highfields junction should be put forward. If vehicles cannot be prevented from accessing the property direct from the A428, the application should be refused on highway grounds.
9. **County Council Footpaths Section** - to be reported verbally
10. **Environment Agency** – Highfields Caldecote has a history of poor drainage and the proposed use of soakaways is unlikely to be satisfactory. Recommends conditions requiring details of foul and surface water drainage to be submitted.
11. **Council's Environmental Health Officer** – no objection.

### **Representations**

12. Letters of strong objection have been received from the occupiers of an adjacent dwelling. The concerns are:
  - a) Need – there is already a cattery and kennels in the village; no need for another;
  - b) Unsuitable commercial use in a rural area;
  - c) The private track serves only four other dwellings. It is liable to be used as a short cut between Highfields Road and the A428, so as to avoid the Highfields Caldecote roundabout on the A428. The development of a cattery served from this track will increase awareness of this potential short-cut, bringing unwelcome traffic into the area;
  - d) Access to the cattery, if allowed, should be limited to the north end of the track, as this would involve least disruption to existing residents. The track should be sign-posted to indicate a private road – access only – at both ends. An electronically operated gate across the track close to The Shielling' entrance would also minimise the disruption to residents from visiting traffic.
  - e) It is unlikely that a commercially viable cattery with 20 cabins would generate only one car per working day.

### **Representations from the Agent**

13. The applicant has investigated the location of other catteries and has found the majority to be in rural or edge of village locations. "It is obvious that the construction of catteries within built-up areas is not practical or economic".
14. The applicant is willing to accept a condition linking the operation of the cattery to the occupation of the applicant's dwelling.
15. The applicant has a right of way for any purpose along the full length of the private road.
16. Vehicle movements from catteries are different from kennels. Most cat owners will make their own arrangements for short periods of absences, and consequently will seek to board their cat at a cattery generally for longer periods. There are therefore far fewer traffic movements than kennels would attract.
17. The applicant is willing to instruct clients to access the site from Highfields Road only, and to place appropriate signage. The applicant is also willing to make improvements to the access track, but not to place gates or bollards on the section close to the A428 as this would require the consent of other owners and may obstruct the public right of way.
18. The concerns of the Highway Authority are noted but the applicant cannot prevent the track from being used as a 'rat-run'. It is hoped that the above measures will be adequate to cater for one vehicle visit a day. The agent understands that, with the proposed construction of the new A428, this section of the track will be downgraded for local/access use only.
19. This application has been referred to the Development and Conservation Control Committee at the request of Council R Martlew.

### **Planning Comments – Key Issues**

#### ***Countryside***

20. The proposal is for a new building in the countryside, which has no connection to agriculture. The case put forward in support of the application indicates that the siting adjacent to the applicant's dwelling would be convenient and economic, but the test set out in policy P1/2 is that it should be essential for the development to be in the countryside. The proposal does not relate to the conversion of any appropriate existing building (when policy EM10 would apply), and it is not in a sustainable location. As submitted, the proposal represents the sporadic proliferation of building in the countryside which, if repeated, would quickly erode the rural character and appearance of the area.

#### ***Vehicular Access***

21. The applicant has not been able to devise a means to prevent access to the site from the A428. The Highway Authority has indicated that, as such, the proposal will be likely to result in highway dangers, notwithstanding the claimed low level of traffic that would be generated. The comments of the County Council Footpath's Section is awaited. The applicants do not own this road, and it is a public right of way.

### **Recommendation**

22. Subject to the comments of Caldecote Parish Council, the County Council Footpaths Section and the Local Highway Authority, refusal for the following reasons:

1. The site lies in the rural area beyond the village framework boundary of Highfields, Caldecote as shown in Inset Plan No.12 of the South Cambridgeshire Local Plan 2004. The Local Planning Authority is not satisfied that sufficient evidence has been put forward of an essential need for the proposed cattery to be sited in the rural area. The proposal represents sporadic development in the rural area which, if implemented, would cause harm to the visual amenity of the rural area, and would be contrary to the intentions of the Cambridgeshire and Peterborough Structure Plan 2003, particularly at Policy P1/2, and the South Cambridgeshire Local Plan 2004, particularly at Policy EM10.
2. Access to the site is via an unmade single-width track that joins to the A428 St Neots Road. Dangers would be caused because of the increased use of this junction by traffic visiting and leaving the site as a result of the proposed development. The proposal would not comply with Cambridgeshire and Peterborough Structure Plan 2003 policy P8/1 (Sustainable Transport – Links between Land Use and Transport).

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/1239/05/F

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