DELEGATED REPORT

Recommendation Made: 2 December 2011

Reference:- 11/00725/FUL **Parish:- Peckleton Parish Council**

Applicant:- Mrs Marie Kirkland
42 Charnwood Road
Barwell
Leicestershire
LE9 8FJ

Location:- Rose Cottage Ashby Road Stapleton Leicester Leicestershire

Proposal:- ERECTION OF 24 CAT PENS (RETROSPECTIVE)

Introduction:-

This application seeks full retrospective planning permission for the erection of a building containing 24 cat pens to replace those lost elsewhere within the site as a result of a previous planning permission being granted for conversion of another building to kennels. The building is located in the north east corner of the site adjacent to an existing cattery building containing 16 cat pens. It is constructed of treated close boarded timber with a low profile corrugated uPVC sheet roof.

The application site is located within the countryside to the north of Stapleton. There is an existing cattery and kennels business established at the site which takes place in a number of buildings to the side and rear of the dwelling known as Rose Cottage which is located to the front of the site (eastern boundary) facing onto Ashby Road. The dwelling is finished in a white render with concrete roof tiles. The outbuildings which form the kennels are also finished in a white render but with flat felt and plastic corrugated sheeting to the roof. To the rear of the outbuildings is a large paddock area that is used for the exercising of the dogs. There is an existing gated access off Ashby Road (A447) to the south east of the dwelling that has been subject to improvements to width and visibility as part of a previous planning permission.

A Design and Access Statement has been submitted to support the application.

Relevant Planning History:-

11/00180/COU	COU of Existing Cattery to Dog Kennels and Alterations to Garage	Approved	23.05.11
09/00201/FUL	Erection of Dog Kennels (Amended Scheme)	Approved	05.06.09
08/01045/FUL	Erection of Dog Kennels (Amended Scheme)	Approved	19.01.09
08/00863/FUL	Erection of Dog Kennels	Withdrawn	21.10.09
05/00935/FUL	Erection of Additional Cattery Facilities	Approved	28.10.05
93/00851/4	Erection of a Cattery	Approved	01.12.93
93/00449/4	Cattery and New Access	Approved	28.07.93

Consultations:-

No objections have been received from:-

The Director of Environment and Transport (Highways)
Head of Community Services (Pollution)
Head of Community Services (Drainage)

No comments have been received from:-

Peckleton Parish Council
Site Notice
Neighbours.

Development Plan Policies:-

Adopted Core Strategy

No relevant policies

Hinckley and Bosworth Local Plan 2001:-

BE1- Siting and Design
NE5- Development within the Countryside

Appraisal:-

The main considerations in this case are the principle of development, impact of the proposal upon the character and visual amenity of the countryside, residential amenity and highway safety.

Principle of Development

The site is located in the countryside where there is a general presumption against new development. However policy NE5 of the adopted Local Plan states that the extension of existing buildings can be acceptable where they are in keeping with the scale and character of existing buildings and do not have an adverse effect on the appearance or character of the landscape. The principle of a commercial cattery and dog kennels business has long been established on the site by a number of previous planning permissions and this proposal represents an extension to the existing cattery building. As a result the proposal is considered to be acceptable in principle in this case.

Impact on the Countryside

The building is sited adjacent to the north and east boundaries of the site which are defined by existing hedgerows that are adequate in height to screen the building from Ashby Road to the north and east given the relatively low overall height of the building (2.2 metres) and its low profile mono pitch roof. Its scale and design and stained timber construction also reflects the existing cattery building of which it is an extension such that it blends in with its surroundings. The building is also well screened from the west and south by existing cattery and kennel outbuildings and Rose Cottage itself. As a result, the proposal does not have a significant or material adverse impact on the character or visual amenity of the surrounding countryside and is therefore considered to be in compliance with adopted Local Plan policy NE5.

Impact on Residential Amenity

The nearest neighbouring residential properties are located at in excess of 150 metres from the application site and as a result there will be no adverse impact on any residential amenity arising from the proposal. The Head of Community Services (Pollution) raises no objections to the proposal. No responses have been received from neighbouring properties. The proposal is considered to be in compliance with adopted Local Plan policy BE1.

Highway Safety

Improvements in terms of visibility, width, radii, surfacing and markings to the vehicular access to the site off Ashby Road have been carried out as part of previous planning permissions on the site. There is an adequate hard surfaced parking and turning area within the curtilage of the site. The Director of Environment and Transport (Highways) raises no objection to the application. The proposal is considered to be in compliance with adopted Local Plan policies BE1 and NE5.

Conclusion

The proposal represents an extension to an existing cattery building within an established commercial cattery and dog kennels on the site and is therefore considered to be acceptable in principle. As a result of the siting, design and appearance of the building together with existing screening it is considered that here are no material adverse impacts arising on the character or visual amenity of the surrounding countryside. In addition, there are no adverse impacts arising on residential amenity as a result of the nature of the development and the separation distances to neighbouring properties or to highway safety as a result of the adequacy of the existing access. The application is therefore recommended for approval.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it is an extension to an existing building and established use on the site and as a result of the siting, design and appearance of the building there will be no material adverse impacts on the character or visual amenity of the surrounding countryside, residential amenity of neighbouring properties or highway safety.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and NE5

1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan at 1:2500 scale; Block Plan at 1:500 scale; Plan Drawing No. 4278 1 and Elevations Drawing No. 4278 - 0188 received by the local planning authority on 13 October 2011.

Reasons :-

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

Notes to Applicant:-

1 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

Contact Officer:- Richard Wright Ext 5894