



*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/017

## Development Control Committee 7 February 2019

### Planning Application DC/18/2136/FUL – Willow Cottage, Tan Office Lane, Chevington

**Date Registered:** 14.11.2018                      **Expiry Date:** 09.01.2019

**Case Officer:** Kerri Cooper                      **Recommendation:** Approve Application

**Parish:** Chevington                      **Ward:** Chedburgh

**Proposal:** Planning Application - (i) Construction of 7 pen cattery and (ii) conversion of existing cart lodge/garage to provide a reception area with additional 2 cat pens

**Site:** Willow Cottage, Tan Office Lane, , Chevington

**Applicant:** Mr Jason Hale

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

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**Background:**

**The application is before Members of Development Control Committee as the applicant is related to a staff member.**

**Proposal:**

1. Planning permission is sought for the construction of a 7no. pen cattery in the residential garden of Willow Cottage. Furthermore, permission is sought for the change of use of existing garage to form reception area and 2no. additional pens.

**Application Supporting Material:**

2. Plans and documents listed in full in the recommendations section under condition 2.

**Site Details:**

3. The application site comprises a two storey, detached dwelling situated in a generous sized plot. The host dwelling and immediate curtilage is location in the Housing Settlement Boundary, with the wider curtilage and garden area located within the Countryside.
4. An access is situated off Tan Office Lane which serves the host dwelling. A further access is situated off Depden Lane which serves the stables in the south western corner of the site associated with Willow Cottage.

**Planning History:**

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
SE/11/0517	Planning Application - Erection of 2 bay attached garage	Application Granted	06.06.2011
SE/07/0477	Planning Application - Erection of detached four bay stable building	Application Granted	04.05.2007
SE/06/1368	Planning Application - Change of use of grazing land to garden	Application Granted	05.04.2006
SE/02/2698/P	Submission of Details - Erection of detached dwellinghouse and construction of vehicular access	Application Granted	04.09.2002

## **Consultations:**

5. Public Health and Housing – No objection, subject to conditions.
6. Environment and Transport, Highways – No objection.
7. All consultations can be viewed online in full.

## **Representations:**

8. Parish Council - Chevington Parish Council have concerns with regards to the narrowness of the lane and extra cars that will use this lane for the cattery and parking problems that could contribute to the existing situation. Will there be time restrictions? No other objections to the scheme.
9. Ward Member - No comments received.
10. Neighbours - 2no. objections have been received from the owner/occupier of Tan Office Farm and 32 Depden Lane, which are summarised as follows:
  - The business will add to the current congestion;
  - Pavements and verges are used to park cars;
  - Cattery customers will have difficulty in parking and turning;
  - Further expansion in the future will be too much for the village lane
  - Potential noise generated late at night
11. All representations can be viewed online in full.

**Policy:** The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM13 Landscape Features
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Policy DM46 Parking Standards
- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS13 - Rural Areas
- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing settlement boundaries

## **Other Planning Policy:**

- National Planning Policy Framework 2018

## **Officer Comment:**

12. The issues to be considered in the determination of the application are:
  - Principle of Development
  - Impact on Visual Amenity and Character of the Area
  - Impact on Neighbour Amenity
  - Impact on Highway Safety
  - Other Matters

### Principle of Development

13. The National Planning Policy Framework (NPPF) states that planning policies and decisions should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside.
14. Policy DM5 of the Joint Development Management Policies Document states that proposals of economic growth and expansion of all types of business and enterprise that recognises the intrinsic character and beauty of the countryside will be permitted where: (i) it will not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a); (ii) there will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests; and (iii) there will be no significant adverse impact on the local highway network.
15. The proposed development comprises the construction of a 7no. pen cattery in the residential garden of Willow Cottage and the change of use of existing garage to form reception area and 2no. additional pens. The cattery business is to be run solely by the owners and occupiers of Willow Cottage.
16. Whilst the principle of a small rural business is acceptable, further consideration of matters of detail and impact also go to the heart of the issue of principle.

### Impact on Visual Amenity and Character of the Area

17. Policy DM2 (Creating Places - Development Principles and Local Distinctiveness) requires that proposals for new development recognise and address the key features, characteristics and special qualities of the area and maintain or create a sense of place and local character. Proposals should not adversely impact significant street patterns or open spaces, and not site development in such a way that it would adversely affect the amenity of areas. Development should respect the character, scale, density and massing of the locality.

18. Policy DM13 (Landscape Features) states that development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features wildlife or amenity value.
19. The 7no. pen cattery is to be located along the eastern boundary of the site and measures approximately 16metres in width, 4.9metres in depth and a maximum height of 4metres. The proposed building is of a large footprint and is located along the frontage of the site. The rear of the cattery building will face onto Tan Office Lane. A grass verge and ditch is located between the application site and the road, with trees located within the ditch. The boundary treatment around the site comprises hedging and wood post and rail fencing. The proposed cattery building will be visible in some views along Tan Office Lane. However, given the domestic appearance and single storey scale of the building, with the provision of additional soft landscaping being incorporated (recommended condition) along the boundary of the site where the building sits, it is not considered that impact to the street scene will be one which is harmful.

#### Impact on Neighbour Amenity

20. The plot in which Willow Cottage is situated in, is located on the corner of Tan Office Lane and Depden Lane. The nearest residential property, which is adjacent to the west of the site is Meadow Cottage. There are 7no. properties on the adjacent side of the road, directly opposite the application site.
21. The existing attached garage is located on the eastern side of the host dwelling and the new cattery building is to be sited in close proximity to this. The nature of the business is modest, with a maximum of 9no. cats at one time. Conditions are recommended by both Public Health and Housing and Officers' regarding hours of visiting and cats' use of the external areas to ensure the amenity of the surrounding properties are protected. Whilst a concern has been raised by a local resident regarding noise, it is considered that this, as well as odour can be adequately controlled via conditions and the otherwise modest cattery is located a considerable distance away from the neighbouring properties for it to not result in a detrimental impact to the residential amenity currently enjoyed.

#### Impact on Highway Safety

22. The existing access which serves the host dwelling off Tan Office Lane will be the access which public and customer use to drop off/pick up their cat(s). The main area of concern by 2no. local residents and the Parish Council is the impact on parking and traffic congestion along Tan Office Lane.
23. At present there are 5no. on-site parking spaces which serve the host dwelling. 3no. spaces are to be retained for the host dwelling and 2no. spaces are to become visitor spaces in association with the cattery. A condition is recommended to ensure that any visitors/customers picking up or dropping off do not come outside of the hours of 08:00-20:00.
24. The Highway Authority considers that the modest increase in vehicle movements will not result in an unacceptable impact to highway safety. In addition, sufficient on-site parking is to be provided for both the

owners/occupiers of the host dwelling and the public/customers for pick up and drop off.

### Other Matters

25. There have been concerns raised about the future expansion of the cattery business and the impact this would have in the local area. If, in the future the applicant/owner/occupier of Willow Cottage wishes to expand the business further and provide additional pens or buildings, this would be subject to a further planning application and would be required to be fully assessed in the way in which this application, and any application is.

### **Conclusion:**

26. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

### **Recommendation:**

27. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

<b>Reference No:</b>	<b>Plan Type</b>	<b>Date Received</b>
(-)	Location Plan	23.10.2018
(-)	Block Plan	23.10.2018
cattery	Proposed Floor Plans	23.10.2018
front - cattery	Proposed Elevations	23.10.2018
garage	Existing Floor Plans	07.11.2018
garage	Existing Elevations	07.11.2018
side - garage	Proposed Elevations	14.11.2018
garage	Proposed Floor Plans	14.11.2018
front - garage	Proposed Elevations	23.10.2018
rear - garage	Proposed Elevations	23.10.2018
rear - cattery	Proposed Elevations	23.10.2018
garage	Visuals	23.10.2018
side - cattery	Proposed Elevations	23.10.2018
side - cattery	Proposed Elevations	23.10.2018
cattery	Visuals	23.10.2018
(-)	Design and Access Statement	23.10.2018
(-)	Application form	23.10.2018

Reason: To define the scope and extent of this permission.

- 3 No development above ground level shall take place until a scheme of soft

landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 All cats shall be shut in the sleeping areas outlined on the proposed floor plans between the hours of 2000-0800.

Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality.

- 5 No external lighting shall be provided on the application site unless details thereof have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 No part of the development hereby permitted shall be used for the boarding of cats until full details of a scheme for the storage and disposal of all animal waste, including soiled bedding, arising from the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the development first being brought into use. Thereafter, all waste materials shall continue to be stored and disposed of in accordance with the approved details.

Reason: To ensure that the development will not have a negative impact on ground and surface water and to protect the amenity of adjacent areas.

- 7 Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015,

Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 The use hereby permitted shall only be undertaken by the owner and resident of the dwelling shown as 'Willow Cottage' as shown on the land edged in red on the submitted Location Plan.

Reason: In the interest of residential amenity and to safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 9 No members of the public/customers are permitted on the site in connection with this use hereby permitted between the hours of 20:00-08:00 on any day.

Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality.

### **13.0 Documents:**

- 13.1 All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/2136/FUL](#)