

8 DCNC2007/0715/F - CHANGE OF USE FROM STABLES TO DOG KENNELS FOR ANIMAL RESCUE CHARITY AT MEADOW BANK RIDING CENTRE, HAMNISH, LEOMINSTER, HEREFORDSHIRE, HR6 0QN

For: Mrs C Smith, Linton Design, 27 High Street, Bromyard, Herefordshire, HR7 4AA

Date Received:

6th March 2007

Ward:

Leominster South

Grid Ref:

52631, 58610

Expiry Date:

1st May 2007

Local Members: Councillor RBA Burke & Councillor RC Hunt

This application was deferred at the last meeting for a site inspection by Members of the Northern Area Planning Sub-Committee

1. Site Description and Proposal

- 1.1 This application relates to a redundant stable building that forms part of a larger group of agricultural buildings at Meadow Bank, Hamnish. It is a single storey painted brick structure that runs approximately north/south, lying to the north-east of the principal dwelling. Vehicular access is gained via an existing entrance to the north.
- 1.2 The application seeks to change the use of the building from stables to kennelling for dogs. The applicant intends to create a rescue facility for up to 12 dogs with a desire for them to be re-homed.
- 1.3 The applicant's agent has advised that the kennels will provide accommodation for a maximum of 12 dogs and that members of the public will be permitted to make visits on an appointment only basis.

2. Policies

- 2.1 Herefordshire Unitary Development Plan

E11 – Employment in the smaller settlements and open countryside
HBA12 – Re-use of rural buildings

3. Planning History

- 3.1 None relevant to this application.

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Consultations

4.2 Transportation Manager - No objections

4.3 Head of Environmental Health and Trading Standards - Comments as follows:

'I have some concerns regarding this application due to the potential for it to affect the amenity of the area and give rise to complaints from nearby residents, notably at the properties known as Colaba and Juniper. Although I have asked for additional information from the applicants agent regarding exercise areas, operating hours and the management of the kennels, the information provided is limited. As management of a business such as this greatly affects the noise emissions, I believe a temporary permission would be advisable in order that further consideration can be made to noise once the business is operational. Although there is the potential for noise from the proposed kennels, I am satisfied that with suitable conditions concerning a noise management scheme and the limiting the number of dogs kept on site the business can operate without detriment to the amenity of the area.

I would also query as to the ownership of the site as if the kennels are in separate ownership to Meadow Bank House, this would raise serious noise concerns due to the close proximity of residential accommodation not related to the kennels, I therefore believe a condition restricting the site of the kennels should be attached to the permission.'

5. Representations

5.1 Leominster Town Council - Recommends approval

5.2 Three letters of objection have been received from the following:

Mr & Mrs Young, Juniper, Hamnish
Mrs M. Ffello, 1A Meadow Bank Park, Hamnish
Mr P. Guest, Colaba Lodge, Hamnish

5.3 A petition with 15 signatories has also been received. In summary the points raised are as follows:

Concerns about increases in noise level.
Inappropriate mix of uses in close proximity to one another
The proposal will add traffic movements to an already over used and dangerous entrance.
Concerns about the lack of supervision of dogs that are already on site.

5.4 The full text of these letters can be inspected by appointment at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The comments of the Environmental Health Officer comprehensively cover the issue of noise and recommend a series of conditions that will properly cover the concerns that have been raised. The suggestion that a temporary permission be granted in the first instance is considered to be reasonable in order that a re-assessment of the situation can be made in light of any complaints that may or may not arise. It is suggested that a period of 18 months is granted in the first instance.

- 6.2 The suggestion of a mix of inappropriate uses is mentioned only in respect of the caravan park lying to the south of the application site. The comments above in relation to noise are equally as relevant in this respect.
- 6.3 In more general terms Meadow Bank also has a legitimate planning use as a riding school and associated equestrian matters pertaining to the manufacture and sale of equipment. This is not considered to conflict with the proposed use as a kennels.
- 6.4 The applicant's agent has confirmed the number of dogs to be kept at any one time and the method by which members of the public will be able to make visits. On such a small scale the proposal will not result in a demonstrable intensification of traffic movements in and out of the site to such a degree to make the application unacceptable in terms of highway safety. Accordingly the Transportation Manager does not object to the proposal.
- 6.5 It is therefore concluded that the application does accord with policy and it is recommended for approval on a temporary basis in the first instance.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - E20 (Temporary permission)

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

- 2 - E15 (Restriction on separate sale)

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

- 3 - F02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties.

- 4 - The kennels shall accommodate a maximum of 12 dogs at any one time.

Reason: To define the terms of the permission and in the interests of residential amenity.

Informatives:

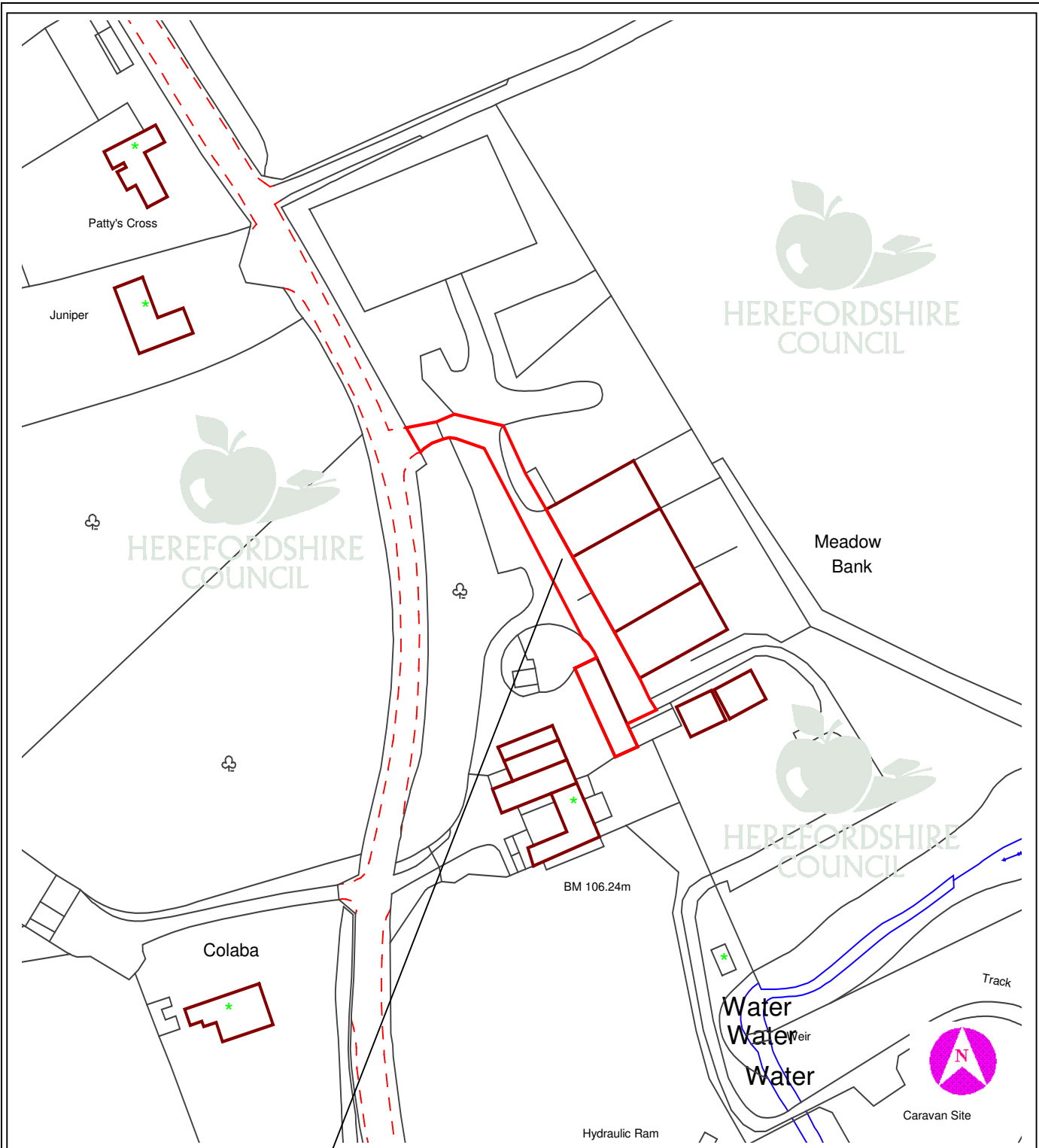
- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2007/0715/F

SCALE : 1 : 1250

SITE ADDRESS : Meadow Bank Riding Centre, Hamnish, Leominster, Herefordshire, HR6 0QN

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