

6 DCSE2007/0881/F - KENNEL UNIT FOR HOBBY SHOW DOGS. SPARROW'S CORNER, DANCING GREEN, BAILEY LANE END, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5TR.

For: Mr. K. Dover and S. Wilmer, Sparrow's Corner, Dancing Green, Bailey Lane End, Ross on Wye, Herefordshire, HR9 5TR.

Date Received: 21st March, 2007 Ward: Penyard

Grid Ref: 63969, 20550

Expiry Date: 16th May, 2007

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 Sparrow's Corner is a detached house located 470m to the north of Bailey Lane End. Access is provided by an unmade road through woodland that is designated a Special Wildlife Site and known as Lea Bailey Inclosure. The nearest houses are located approximately 135m to the north west of the site on lower land at Dancing Green.
- 1.2 The proposal involves constructing a timber kennel building 9.2 x 3.6m in size with a height of 3.1m at the ridge. It would be clad in 'shiplap' boarding and roofed in black sheeting. It would be positioned approximately 8m to the south east of the house. The building has ten 'pop holes' leading to external runs. Waste will be disposed of in a biological unit counter-sunk into the ground.
- 1.3 The building is required to house the applicant's Corgis. These dogs are kept for the personal enjoyment of the applicants and are shown at dog shows across the country. The applicants state that one litter every two or three years is anticipated principally to replace their show dogs. There will be no boarding of dogs or breeding for commercial purposes.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007

Policy DR13	-	Noise
Policy H18	-	Alterations and Extensions
Policy LA2	-	Landscape Character

3. Planning History

- 3.1 No relevant history identified.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager: No objection

4.3 Head of Environmental Health: No objection

5. Representations

5.1 The applicants state:

- (1) In respect to the number of dogs proposed, to keep the gene pool that is required to maintain what is now an endangered British breed we would be looking to have between 8 and 10 adult dogs on the premises at any one time. As I informed you we will not be breeding any of the Pembroke corgis due to the docking ban that came into effect on the 6th April but we will continue to show and breed our Caridgan corgis and have the occasional litter. We would normally only breed from a bitch in her 3rd or 4th year depending on maturity and her current show standing. At no time would we be keeping a string of bitches "churning" out puppies and at present we only have 2 bitches that we would have litters from in the next 2 years and certainly not at the same time. We have never done so in the last 40-odd years and don't intend to start now. Any litters born are normally kept within the house until the age of 8 weeks when the majority go to their new homes. We then normally "run on" as we say maybe 2 or 3 for a further 3 or 4 weeks to ensure that we have the best for showing, the remainder then go to other pet homes. As I pointed out at the parish meeting we do find our older dogs new homes to make way for new puppies once that particular animal has reached the end of his or her show/breeding career.
- (2) I have spoken with the manufacturers of the said kennel building and they do as a matter of course line all buildings with an insulation that is several inches thick. This we feel is more than adequate. We do not allow the dogs to continuously bark.
- (3) Removal of dog "waste" – this we would normally undertake by using "bio" degraders set into the ground which break down the waste in a safe and hygeinic way.

5.2 Hope Mansell Parish Council state:

'By the Chairman's casting vote, [the Parish Council] is in favour of this application. However, the Parish Council is concerned about any possible noise created by the animals and finds favour only if the building is insulated with respect to sound and the total number of dogs is limited to 10 at any one time.'

5.3 Three letters of representation have been received from:

G.M. and A.H. Urquhart, The Beeches, Dancing Green
Mrs. S.E. Dewdney, Chestnut Cottage, Dancing Green
Veronica Bucknell, Malvern View, Bailey Lane End

The following main points are raised:

- The property can be seen from the A40, 1½ miles distant and the building will increase the frontage by a third.
- Requires a dark coloured finish to blend with woodland backdrop.
- The roof height of 3m is excessive.
- Concerned about noise in a quiet forest area where noise carries easily. All local houses lie below Sparrow's Corner, some within 100m and all within 250m.
- Breeding must be part of programme and puppies sold for commercial gain.
- Controls are required to ensure there can be no further development in the future. Conditions should be applied to mitigate the noise, limit the number of dogs and usage of the kennel to the property owner's dogs only.
- Concerned about waste disposal and the potential for breeding on a larger scale, including other breeders being able to bring their own dogs to be mated.
- Property is served by a bridle way. The number of vehicles will increase and have a detrimental effect on the landscape.

The full text of these letters can be inspected at Southern Area Planning services, Garrick House, Widemarsh Street, Hereford and prior to the sub-committee meeting.

6. Officer's Appraisal

- 6.1 The main issues in determining this application are the impact of the use of the proposed building on neighbours and its effect on the landscape character of the area.
- 6.2 The applicants state that they intend to use the building for accommodating between eight and ten Corgi dogs that are kept as a hobby and shown at dog shows around the country. It is anticipated that one litter every two or three years will be produced to maintain the breed and produce new show dogs principally for their own purposes. There would not be any breeding on a commercial basis or boarding of dogs not owned by them.
- 6.3 Sparrow's Corner is located in a remote position on the edge of woodland. It has an extensive curtilage and the nearest houses are approximately 135m from the proposed building on lower land at Dancing Green. Residents are concerned that a noise nuisance may occur as a result of dogs barking. Taking into account the distance between the building and houses, the type and number of dogs and their proposed management, officers consider that subject to appropriate planning conditions, the proposed use will not be detrimental to the amenity of local residents. In addition, the building will be insulated to reduce the potential for noise generation.
- 6.4 The kennel building is located on the site of a former outbuilding 8m to the south east of the house. It will extend the linear form of development set into the sloping land and will be seen against a backdrop of woodland. The building will be constructed in wood with a dark coloured roof. The building will not be prominent or detract from the quality of the local landscape. It will be in keeping with the character of its surroundings and the existing house.
- 6.5 Subject to planning conditions to control the use of the building, the proposal is considered to be in accordance with policies DR13, H18 and LA2 in the Unitary Development Plan.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 B09 (Colour of cladding)

Reason: To protect the visual amenities of the area.

- 3 The number of dogs over twelve months of age housed in the kennel hereby permitted or otherwise kept at Sparrow’s Corner shall at no time exceed ten in total.

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

- 4 No dogs other than those of Corgi breed shall be housed in the kennel hereby permitted.

Reason: To enable the impact of any other breed to be assessed in order to protect the amenity of the occupiers of nearby properties.

- 5 The kennel hereby permitted shall be used to accommodate the applicants’ own dogs only and shall not be used for any commercial breeding or boarding enterprise.

Reason: In order to protect the amenity of occupiers of nearby properties and in the interests of highway safety.

- 6 Before development commences details of the size and height of the external runs and the materials to be used in their construction shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the area.

INFORMATIVES:

- 1 N19 - Avoidance of doubt

- 2 N15 - Reason(s) for the Grant of Planning Permission

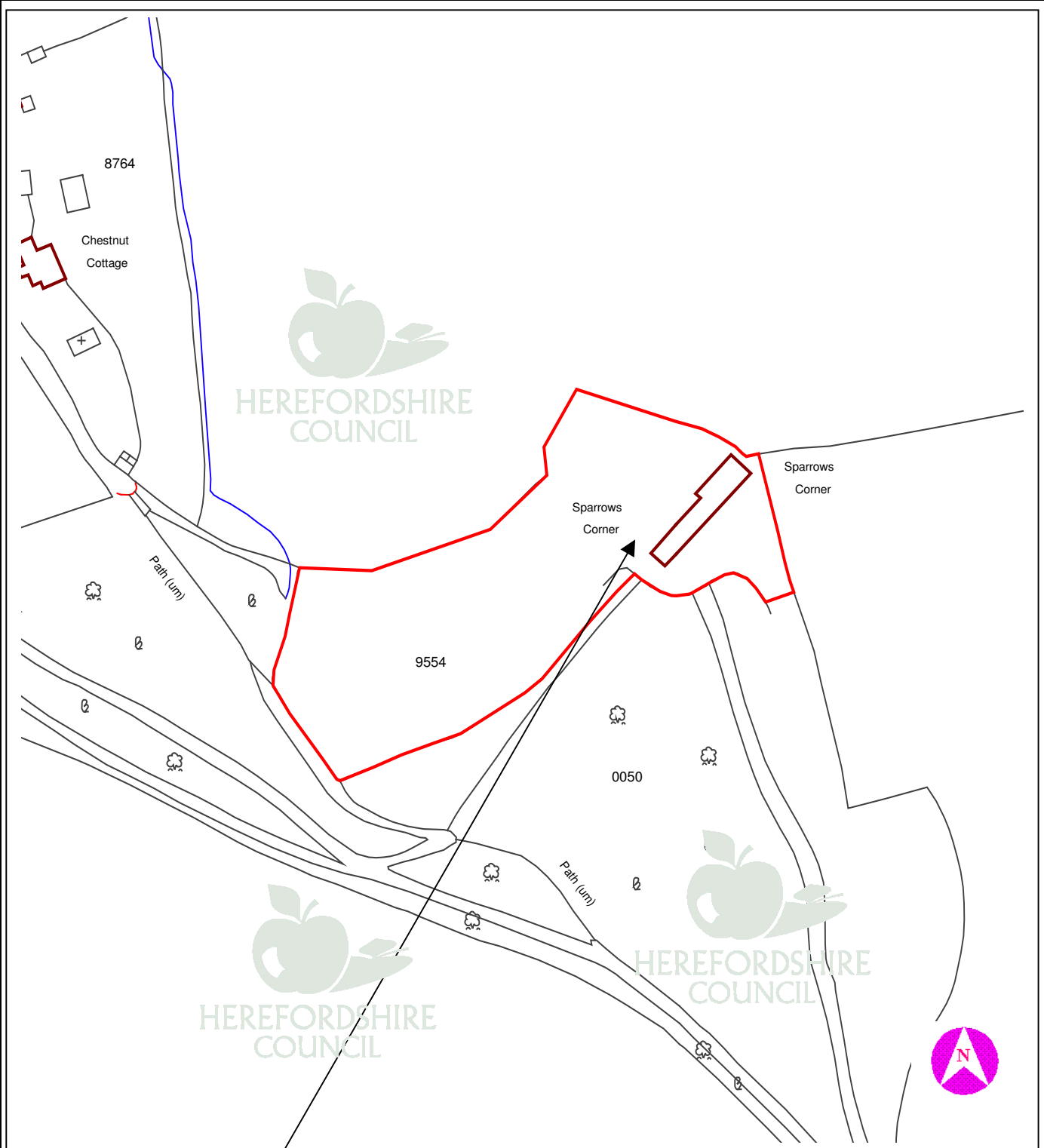
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/0881/F

SCALE : 1 : 1250

SITE ADDRESS : Sparrow's Corner, Bailey Lane End, Ross-on-Wye, Herefordshire, HR9 5TR

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