

18/2003/020

MR S & MRS R HOLE

**ERECTION OF 12 CATTERY PENS IN A SINGLE BLOCK TO BE USED AS A BOARDING CATTERY, SINGLE PEN TO BE USED AS AN ISOLATION UNIT AND IMPROVEMENT OF VEHICULAR ACCESS ONTO HIGHWAY AT 1 BUDDLE OAK, HALSE WITH ADDITIONAL INFORMATION SENT BY E-MAIL DATED 30TH DECEMBER 2003 FROM APPLICANT AND AS AMENDED BY LETTER FROM APPLICANT, LETTER FROM FELINE ADVISORY BUREAU WITH ADDITIONAL INFORMATION AND AMENDED PLAN FROM APPLICANT RECEIVED ON 5TH JANUARY 2004.**

13953/28453

FULL PERMISSION

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## **PROPOSAL**

Nos 1 and 2 Buddle Oak are a pair of semi-detached houses sited to the north of Blake's Farm, on the northern-western side of Halse. Access to both properties is via a single track from an unclassified road leading north out of Halse. Access to No 2 is to the rear of No 1. The proposal is to erect a row of 12 cattery pens which comprise 'housing' and 'run' elements each with independent gates, a separated isolation unit, these being on the north-western side of the site, provision of car parking area and improvement of vehicular access to an unclassified road at 1 Buddle Oak, Halse. The overall size of the 12 pens would be 16.15 m in length, 4.39 m in length and 2.3m in height and constructed in timber. The isolation unit would be beside the rear of the house. The car parking area would be a widening of the accessway in front of no No.1 with an existing apple tree retained within the car parking area and the boundary wall which will be rebuilt.

A previous application for the erection of a 5 m x 7.3 m x 2.8 m high polytunnel for domestic horticultural and agricultural use, was approved by Planning Committee on 5th March 2003. This has now been erected, and landscaping has been put in.

The applicant has included a statement from the Feline Advisory Bureau, which comments that a cattery of this size would result in an increase of traffic at 1 car per day on average, with no cars on some days. The applicant would meet the food and any equipment lorry at an appropriate location; smells would be minimal as the cat pens would be kept clean; the site is below the surrounding land, with an existing retaining stone wall shielding 2 sides; existing trees screen No 2 Buddle Oak from the cattery; the existing access would be widened at the lane; all clients would visit by appointment only; a collection/delivery service would be offered; planting for the previous permission has now carried out; there would be little foul water, mainly clean water will go down the drains, cat litter will be binned and collected weekly; there is no covenant on the property. The applicant wishes to be employed at home in order to be on the small holding and be able to look after the family. She is trained in Business Management and Agriculture. Preliminary advice was sought from the County Highways Authority and the view was that the traffic increase was an insignificant amount. Clarification on this aspect is awaited given the comments below. The applicant has applied for

improvements at the point of access to the highway, which would allow vehicles to pass and for sufficient vision while turning into or out of the access. The applicant states that there is no room for expansion, as they would not wish to have the cattery pens in the field, away from the house.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the proposed development site is located outside recognised boundary limits, visitors are likely to be dependent on private cars, the approach road is substandard in both width and alignment and the access has substandard visibility particularly in a north-westerly direction. Recommends refusal on basis of the approach road being unsuitable to serve as a means of access and the existing access is considered to be unsuitable.

ENVIRONMENTAL HEALTH OFFICER suggests noise and odour observations  
DRAINAGE OFFICER no objection.

PARISH COUNCIL no objection.

THREE LETTERS OF SUPPORT two Halse residents would prefer to walk down the road to take two cats to 'holiday quarters'; a local enterprise is great news; people with young families should be able to run small business from their home; this would be a useful amenity for this and neighbouring villages.

ONE LETTER OF OBJECTION covenant on property prevents business use; cesspit is for domestic use only, extra usage could lead to health and safety implications to adjoining property; concern about annoyance/discomfort; required confirmation that a notice had been displayed on site; loss in value of neighbouring property; contests the traffic generation figures; part time help may also be required, and viewing of facilities would increase the amount of traffic; amount of cat litter produced will require additional waste services' traffic; concern about the proposal to meet delivery lorries and transfer of goods on the public highway; contrary to Taunton Deane Borough Council's Policy to restrict car traffic; difficult vehicular access; the cats will be noisy; diversification into selling food and other related items will occur.

ONE LETTER OF CONCERN no objection to the cattery, but the lane between Buddle Oak and Halse is unsuitable for any increase in motor traffic, conditions should be enforced, and a previous condition for planting appears not to have been carried out.

## **POLICY CONTEXT**

S1 General requirements. EC1 Working from home: the creation of a workplace within the dwelling will be permitted provided the essentially residential character of the building and area is maintained by limiting the type and level of activity ..., preventing any harmful future intensification, and limiting any advertisement. This policy relates to running a business from the dwelling, rather than a diversification of a small holding. EC4 Rural employment proposals: outside settlements new small scale buildings... will be permitted provided the site is near a public road, adjacent to a village where there is

no suitable site available, no harm to residential amenity of neighbouring properties, landscape or highway safety and adequate arrangements can be made for the provision of services. This relates mainly to new small scale buildings for business, industry, or other employment generating uses rather than the low scale current application. EC5 Farm Diversification: generally acceptable provided that the proposal is compatible with the agricultural operations on the farm and the existing farm buildings are used. This policy is aimed mainly at larger scale farms, but the gist of the policy is applicable to the current proposal.

The site is outside the settlement limits of Halse as defined in the Taunton Deane Local Plan. Having regard to the policies above, the further development of an existing small holding to include other uses is in general acceptable depending on scale and possible harm to neighbouring properties.

## **ASSESSMENT**

The application site is part of a small holding situated just outside Halse, being several hundred metres from Halse centre, but is within easy walking distance. The applicants have erected a polytunnel and are aiming to be self-sufficient; the holding also has hens, geese and sheep. The applicant wishes to run the business from home, and the level of business would be at a relatively low level and is considered to be appropriate to this rural location. Whilst the County Highways Authority has now objected, its initial pre-application comments were favourable. Given the amount of traffic assumed by the Feline Advisory Bureau, the applicant being willing to collect/deliver cats, and the amount of traffic which a domestic property could generate as a matter of course, it is considered that the proposal would not generate an exceptional amount of traffic. The comments in respect of restricted visibility are noted, but it is considered that most visitors will come via Halse, from which direction the visibility into the site is reasonable and will be much improved as a result of the proposed highway improvements. The approach road also serves Blake's Farm, Higher Blake's Farm and a number of other dwellings. It is not considered that the small increase in traffic using this lane will be of such significance to warrant refusal. The improvement to the point of the access should overcome the currently narrow access point. The concerns of the neighbour are not considered to warrant refusal of the proposal. Whilst it is acknowledged that the Council's policy is to try to restrict travel by car, the applicant will offer a collection/delivery service, and this type of use is considered to be more appropriate in a rural location than in town centres. Conditions will restrict the size, control noise and smell and any sales.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials on plan, access to be in place prior to use commencing, parking area to be in place prior to use commencing, no ancillary sales, no more than 12 cats to be housed within the development permitted, noise, odour. Notes re advice to customers about collection/delivery service, any access should be from Halse and not from the northwest.

REASON(S) FOR RECOMMENDATION:- The use is considered to be acceptable within the scope of employment related Policies EC1, EC4 and EC5 and Policy S1 of Taunton Deane Local Plan Revised Deposit as neither the level of activity/potential nuisance to neighbours nor the amount of traffic is considered to be sufficient to warrant refusal; the development will provide economic diversification within a rural area for an existing occupier and provide an amenity to residents.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356460 MS K MARLOW (MON/TUES ONLY)**

NOTES: