

27/14/0019

MR T HOLLEY

CHANGE OF USE OF AGRICULTURAL LAND AND ERECTION OF 10 NO. DOG BOARDING KENNELS AND 1 NO. ISOLATION KENNEL AT FIVEOAK CATTERY, HIGHER KNAPP FARM, HILLFARRANCE

Location: FIVEOAK CATTERY, HIGHER KNAPP FARM, HILLFARRANCE
ROAD, HILLFARRANCE, TAUNTON, TA4 1AN

Grid Reference: 317367.124701 Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason: For the avoidance of doubt and in the interests of proper planning.

3.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the

appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. Prior to kennels being brought into use, the acoustic fence 'noise barrier' detailed on the location plan (drawing 6) shall be erected in accordance with the details in the applicant's email of 15th September 2014 (section 2) and shall thereafter be maintained as such.

Reason: to ensure that potential noise from the kennels is attenuated in the interests of the amenities of neighbouring residents.

5. Prior to the kennels being brought into use a hay/haylage stack shall be constructed in the location indicated on the Location Plan, Drawing B. The hay/haylage shall be stacked in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority and shall measure 7m high by at least 3m wide and across the entire length of the hatched area for that purpose on the said plan. It shall physically adjoin the noise barrier indicated in blue on that plan and required by condition (4).

The hay/haylage stack shall be maintained in that condition for the duration of time that the kennels are in use. In the event that the hay/haylage stack is not maintained as required by this condition, then the use of the kennels shall cease immediately.

Reason: to ensure that potential noise from the kennels is attenuated in the interests of the amenities of neighbouring residents.

6. The kennels hereby permitted shall not be brought into use until the new access permitted under application 27/14/0002 has been fully provided in accordance with that permission and brought into use.

Reason: to ensure that adequate facilities are available for the traffic likely to be attracted to the site.

7. Prior to the kennels being brought into use, the kennels shall be constructed in full accordance with the assumptions (1-5) on page 6 of the "Noise Assessment Report for Proposed New Kennels" prepared by Curload Consultants reference 1149 and dated January 2014 and shall thereafter be maintained as such.

Reason: To ensure that the proposed development does not result in significant harm to the residential amenities of the occupiers of nearby premises, in accordance with Policy DM1 of the Taunton Deane Core

Strategy.

8. The buildings hereby permitted shall not be occupied until works for the disposal of sewage and surface water have been provided on the site to serve the development hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority and shall thereafter be maintained as such.

Reason: To prevent discharge into nearby water courses in accordance with Policy CP1(C) of the Taunton Deane Core Strategy.

9. The area allocated for parking and turning on the submitted block plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety.

10. The existing hedge to the northeast of the proposed noise barrier shall be laid within 6 months of the date of this permission and shall then be allowed to grow up to the height of the noise barrier, being maintained in accordance with condition (3) of this planning permission. Thereafter the hedge shall be maintained at a height in excess of the noise barrier.

Reason: In the interests of the visual amenities of the area.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. Care should be taken when installing the acoustic fence to ensure that the adjoining hedge is not damaged so that it can effectively regrow to screen the fence without further intervention in accordance with condition 3.

PROPOSAL

Higher Knapp Farm is located in a rural location, approximately 0.75 km to the east of Hillfarrance and approximately the same distance from Allerford. The site is largely surrounded by agricultural fields, with a residential property opposite and a scattering of further dwellings to the north-east. The site comprises agricultural buildings, along with a traditional barn, which has been converted to a dwelling. Planning permission was granted in 2011 for the change of use of an element of land to a boarding cattery with the erection of further linear buildings to provide the

cattery pens and associated facilities to the south-west of the main buildings. This planning permission has since been implemented and the cattery is in operation from the site.

A planning application was submitted in 2012 for the change of use of agricultural land and erection of buildings to form a boarding kennels and isolation unit, along with the temporary permission for a mobile home to provide manager's accommodation for the boarding cattery, which was withdrawn following the request for a noise assessment. A similar application was subsequently submitted in 2013 with the mobile home removed from the scheme, but without a noise assessment and this was again withdrawn.

A later application in 2013 sought planning permission for the change of use of agricultural land with the erection of buildings to form a boarding kennels and isolation unit. The buildings were proposed to the north-west of the existing buildings, which incorporated a main building with a run along the full length of the rear and a separate building to act as an isolation pen. The buildings were proposed of timber cladding with an anthracite roof and galvanised mesh to the run elements. It was also proposed to block off the existing access with a wooden fence with planting to the front and form a new access to the south-west of the buildings. This application was accompanied by a noise assessment, a design and access statement and a day to day management strategy. This application was refused as the Council resolved that it had not been satisfactorily demonstrated that the proposed development would not give rise to noise disturbance to nearby properties, to the detriment of their amenity and was therefore contrary to Policy DM1.

A subsequent application for the formation of the new access to serve the dwelling and boarding cattery was granted conditionally earlier this year.

This application now seeks to change the use of agricultural land and erect ten dog boarding kennels within one large building and a separate isolation unit. The buildings would now be located to the rear of the cattery and farm buildings, with a 3 metre high acoustic fence located to the north-east. This fence would be of 16kg/square metre timber construction. The ten kennels would be housed within the main building with a kitchen in the centre and a walkway along the full length of the building to the front of the kennels, each kennel would have a sleeping and exercise area, all of which would lie within the building. The building would be of concrete block construction with timber cladding and an anthracite grey aluminium roof, 26 metres in length and 8 metres in width, 2.2 metres to the eaves and 4.2 metres to the ridge. The isolation unit would be 7 metres by 2.4 metres and of the same height and materials. The buildings would also incorporate acoustic detailing including rockwool, two layers of plasterboard, acoustic suspended ceilings, double glazing incorporating airgaps and acoustic ventilation. It is proposed to utilise the recently permitted access to serve the kennels and erect a hay stack to the south-east and south-west of the kennels to provide additional sound proofing.

The application is also accompanied by a noise assessment, design and access statement and day to day management strategy.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

COUNTY HIGHWAYS AUTHORITY - No comments received on this application at the time of writing – Comments on previous application considered to apply, however it is important to note that the new access has been permitted since these comments were made:

I refer to the above-mentioned planning application received on 20th November 2013 and, after carrying out a site visit on 25th November 2013 have the following observations on the highway and transportation aspects of this proposal:-

Site Location - The development site is located along Hillfarrance Road a designated classified unnumbered highway to which the National Speed Limit applies past the site frontage. Hillfarrance Road is predominantly single width, to which either side of the carriageway there are grassed highway verges and no street lighting in proximity to the site.

Access Arrangements – The proposal seeks the formation of a new vehicular access onto Hillfarrance Road a designated classified unnumbered highway to which the National Speed Limit applies.

Access to the adopted highway is currently obtained via the existing access onto Hillfarrance Road. The access is considered acceptable in terms of width and geometry. However, vehicular visibility in a south easterly direction is considered substandard as high hedge row impedes visibility.

This is a location where in principle Design Manual for Road and Bridges (DMRB) applies given the rural location of the development and therefore the creation of a new access would warrant the maximum levels of visibility ('Y' coordinates) of 215m in either direction, given that 60mph speed limit which applies along Hillfarrance Road (past the site frontage).

The proposal seeks the formation of a new access and the stopping up of the existing. From onsite observation it is considered that vehicle speeds in this location are likely to be lower than the National Speed Limit.

It is the view of the Highway Authority that vehicle speeds are estimated to be approximately 30mph. It is evident that the proposed new access will result in an improvement in vehicular visibility compared to the existing access and therefore unreasonable for the Highway Authority to object on the basis that the proposed access is unlikely to obtain the required splays for the creation of a new access.

However, the proposed access should incorporate visibility splays of 2.4metres x 43metres, which is achievable from the proposed access. The reason for applying visibility splays based on guidance from Manual for Streets (MfS) as opposed to Design Manual for Roads and Bridges (DMRB) is that vehicle speeds are likely to be considerably less than the allocated limit given the constraints of Hillfarrance Road.

A suitably worded condition can be attached in connection to the access to incorporate the provision of appropriate visibility splays in perpetuity.

With regards to the formation of the access Drawing No. '*PROPOSED NEW DOMESTIC, AGRICULTURAL & BOARDING ENTRANCE*', it detailed that the access is to be provided with a 10metre concrete apron, which is considered acceptable.

If any access gates are to be erected as part of the proposal, they would need to be erected a minimum of 5.0metres back from the carriageway edge to enable a vehicle to pull clear from the existing highway when in operation without becoming an obstruction to vehicles using Hillfarrance Road. Also provision should be provided at the point of access to prevent and discharge of surface water on top the publicly adopted highway.

Finally, under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, Taunton Deane Area Office, Burton Place, Taunton, Tel Number 0845 3459155. Application for such a permit should be made at least four weeks before access works are intended to commence, subject to planning approval.

Vehicle Movements - I do not consider the inclusion of ten kennels at an existing boarding facility a significant increase in vehicle movements. The reason for this is that it's likely that the site will be subject to shared trip patterns associated with the existing cattery and would be unreasonable for the Highway Authority to recommend refusal based on an intensification of the site.

Parking/Internal Layout - The site plan Drawing No. '*BLOCK PLAN (14/09/13)*', details that eight vehicle parking spaces will be provided as part of the development, which is considered acceptable.

Furthermore, the site provides suitable area to allow for a motor vehicle to turn and access with highway within a forward gear which is essential when accessing onto a classified road. The Highway Authority is therefore satisfied with the parking and internal layout of the development.

OAKE PARISH COUNCIL - Objects for the following reasons:

The Councillors have reviewed application 27/14/0019 and still have concerns regarding the potential level of noise with dogs barking at different times of the day. There are several properties within close proximity to the proposed application which will be subject to noise disturbance when owners drop off and collect their animals. The type of design of some of the closer properties will be affected more than others. Hillfarrance is a quiet rural village where people have come to live and not be disturbed by irregular noise levels.

The application mentions a treatment plant for all waste products which after treatment will be discharged in the stream subject to the Environment Agency's approval. There doesn't appear to be any correspondence between the applicant and Environment Agency to satisfy potential pollution into the water course to date and would like to know whether the Environment Agency has been contacted for initial discussions. More detailed information is required on the drainage of waste to resolve concerns should the Environment Agency not accept the initial proposal.

There appears to be no evidence of adequate landscaping being proposed with this application. Application 27/14/0002 describes a new vehicular access and landscaping which should be monitored to ensure this is carried out sufficiently.

The lanes in Hillfarrance are narrow and there are concerns that increased traffic may have an impact on villagers walking, riding and cycling around the lanes. This would have to be addressed by the Highways Department to satisfy safety issues.

The Parish Council request TDBC Planning Department take into account our thoughts and refuse planning permission.

LANDSCAPE - Proposed agricultural building/haystack along with landscaping conditioned as part of application 27/14/0002 will help screen the development from the south. Details of landscaping are required. Care must be taken not to damage roots of the hedge when installing the acoustic fence.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - A sound report by Curload Consultants has been submitted in relation to the above planning application. This report is supported by a noise report carried out by Soundguard Acoustics Ltd and provides additional information to determine the impact of any noise upon the nearby residents as a result of the proposals and the likelihood of complaint as a result of noise. As noted in the Curload report, there is no specific criteria for the assessment of dog barking.

The report assumes that an agricultural building and noise barrier has been built and contains specific details relating to acoustic construction materials of the kennels, such as acoustic ventilation, and how these materials relate to noise reduction. These extra details support the conclusion that noise levels during the night (doors closed) and during the day time (sufficient management for short term extreme barking events) should be acceptable. However, it is possible that barking may be audible in the surrounding area.

Comprehensive supporting information detailing the day-to-day operation of the kennels have been submitted and as long as the building specifications are adhered to and the kennels managed appropriately, I have no objection to the application.

Comments on Drainage taken from previous application – Wouldn't usually comment on drainage provisions....the treatment plant should comply with building regulations and if discharged into a watercourse, a consent issued by the environment agency.

DRAINAGE ENGINEER - I note that foul sewage is to be disposed to a package treatment works and surface water to watercourse. Suggest consult Environmental Health on proposed adaption and re-use or grey water and storage of roof water on site. Query whether Environment Agency have been consulted. Details of how track and areas surrounding kennel blocks are to be drained should be submitted.

Representations

40 letters of OBJECTIONn have been received on the grounds of:

- Application has very little difference to last application.
- Kennels will now be closer than before, concerns regarding noise and intrusion to neighbouring properties including Altona Park (Caravan park), luxury B & B, village of Hillfarrance as a whole, particularly as Higher Knapp Farm is on higher ground level than surroundings.
- Proposal would ruin peace and tranquillity of countryside, noise pollution could be detrimental to wildlife and breeding livestock.
- Concerns regarding impact on luxury B & B, dwelling and camping facilities opposite.
- Would not stay at Knapp farm again if there were kennels nearby (several representations from previous guests at Knapp). It would detract from the unique serenity.
- The noise from existing kennels in Oake is bad enough, two kennels in close proximity to each other will be unbearable.
- The applicant's own dog can often be heard barking, more dogs would be even worse.
- Additional noise-proof fencing not in keeping with surrounding area.
- The roads are used for horse riding and dog barking could throw the riders off.
- Increase in traffic on narrow and windy roads where there is a 60mph speed limit, increased hazard to walkers/cyclists.
- Nearby roads flood already, additional concrete will make matter worse.
- No economic benefit to the village or local economy, will not produce additional jobs or GDP.
- Development may have an adverse impact on the Langs Farm SSSI.
- Query whether agricultural building forms part of application and whether openings in north-west elevation are doors or windows.
- Believe development plan does not support application and no material considerations indicate it should be granted. Not considered an appropriate use adjacent to residential properties.
- Concerns regarding level of mitigation required including a new building/haystack, noise barrier and sound insulation. Concerns that wooden fences and conifers would not be effective in stopping noise.
- Critique provided of both Soundguard Acoustics report and Curload Consultants report. Concerns as to how noise report has been carried out.
- Request committee to hold a site meeting.
- Other non-planning matters raised including other businesses at site, neighbour relationships, no exercise area for dogs, cumulative impact of permitting lot of small businesses, area already well served by other kennels, devaluation of properties, general development of that area.

Video of barking dogs also submitted.

4 letters of SUPPORT received in the grounds of:

- Currently have to take dog to separate place to cat.
- Lack of good kennels and good few always fully booked. Difficult to find good kennels.
- At the RSPCA animal centre in West Hatch, dogs can only be heard in the car park.
- Previous work done at Higher Knapp has made it very attractive.

- The proposals are unlikely to generate a significant amount of additional traffic.
- The scheme has been well thought out with a well-designed and well enclosed facility with additional noise attenuation measures proposed.

PLANNING POLICIES

EN12 - TDBCLP - Landscape Character Areas,

LOCAL FINANCE CONSIDERATIONS

None

DETERMINING ISSUES AND CONSIDERATIONS

Section 3 of the NPPF supports sustainable growth and expansion of all types of business and enterprise in rural areas in order to create jobs and prosperity, as well as promote the development and diversification of agricultural and other land-based rural enterprises. Policy DM1 states that development should avoid harm to the appearance and character of any affected landscape, building, settlement or street scene and that any nuisance, which could arise should not unacceptably harm the amenities of individual dwellings or residential areas. Policy CP8 supports development at sustainable locations to improve green infrastructure, visual amenity and overall quality of the environment but states development on unallocated greenfield land will be strictly controlled in order to conserve the environmental assets and open character of the area.

Impact on the character and appearance of the area

The proposed buildings are to be located to the north-west of the existing buildings and dwelling at Higher Knapp Farm. The previous application sought to locate the kennel buildings a further distance away from the buildings and to the east of the existing well established hedge. The scheme now proposed, locates the kennel buildings in closer proximity to the existing agricultural building, being 20 metres from it. As such, the main building would be adequately related to existing buildings and would not encroach out into the countryside to an unacceptable level. The isolation unit is a further small scale building that would be closely related to the main building.

The use of timber cladding to the walls is considered an appropriate material for a rural setting that would not appear stark in appearance. The roofs were initially suggested to be green aluminium but have since been amended to anthracite sheeting, which are not deemed to appear unduly prominent in the landscape and is commonly used for agricultural and other rural buildings. The proposed buildings are designed to be reasonably low in height and would be partly screened from the road by the well-established roadside hedge. This screening will be increased further by the new planting as conditioned under the recent planning permission for the new access. A well-established hedge also lies to the north-east of the proposed buildings, which would largely screen the buildings from that direction, whilst the buildings would be viewed against the backdrop of this hedge from the

south-west. Concerns have been raised regarding the 3m high acoustic fence. This would lie adjacent to the existing hedge and would therefore be screened by it from the east. It is noted that the hedge is currently being laid and the applicant has suggested that this would provide a better hedge over the longer term. It is therefore recommended that a condition is imposed to lay the hedge and allow this to grow up to a height of 3 metres, which shall thereafter be retained as such. From the west, it would not appear prominent due to the position of the buildings in front of it and therefore only sections would be visible. It is acknowledged that a solid timber fence is not typical of rural areas, although in view of its relationship with surrounding buildings and landscaping, is not deemed to lead to excessive harm to the surrounding countryside.

The landscape officer is satisfied with the proposal, subject to details of landscape planting, which will need to be submitted to discharge the condition attached to the recent planning application for the new access. The landscape officer has also highlighted that care should be taken when installing the fence to avoid harm to the roots of the hedge and a note to the applicant to this effect is suggested. Whilst it is acknowledged that there would be some glimpses from public viewpoint, the buildings are not deemed to cause harm to the appearance of the landscape.

In order to reduce potential noise disturbance (see below) the applicant's acoustic engineer has assumed that a further agricultural building has been erected to the southeast of the kennel building. Further discussion with the consultant has confirmed that the building itself does not actually have any significant acoustic value, instead it is the contents of the building that will provide the sound attenuation. In this regard, the applicant proposes to build a hay stack/hay bale wall to the southeast of the kennels, returning along the southwestern side. This will clearly have some visual impact – more if haylage is used as the bales would be wrapped. The hay stack would have to be 7m high in order to provide the necessary sound attenuation. However, it too would be seen within the context of the existing farm buildings. It would be a bulky structure, but would be agricultural in nature and is not considered to have such a visual impact as to warrant refusal of the application.

Impact upon highway safety

The proposal would utilise the recently permitted new access. In determining the application for the access, a full assessment was made on its acceptability in highway safety terms and adequate visibility splays were conditioned. As such, it is considered capable of accommodating the proposed boarding kennels. Furthermore, it would be positioned away from the access to Knapp Farm opposite the current access, reducing traffic conflict between the two accesses as well as potential disturbance of people coming to and from the kennels. In addition, the County Highways Authority is satisfied with the level of parking and that turning can be achieved within the site. On this basis, the proposal is not deemed to result in detriment to highway safety.

Concerns have been raised as to the increase in traffic movements to the site and the increased impact upon the narrow, windy country lanes. Whilst it is acknowledged that there would be some increase, it is important to note that there are already a certain amount of traffic movements taking place in association with

the cattery. It is plausible that a proportion of the people bringing cats to the cattery would also have dogs and therefore combine the trip. It is also important to note that a collection/delivery service is operated from the cattery and it is proposed to extend this to the kennels. As such, the level of increased traffic movements would not be proportionate to the number of dogs that the kennels could accommodate and the County Highways Authority do not have concerns on this matter.

Impact upon the residential amenities of nearby properties

A great deal of objections are raised regarding the noise and disturbance generated by dogs barking at the kennels. Following the previous application being refused, a further noise report has been undertaken, this time by Curload Consultant's and submitted. This has been assessed by the Council's Environmental Health Section, as specialists in that field. In the case of noise and disturbance, it is generally customary to regard these issues as a matter for the managers of the kennels. It follows that, generally, a carefully designed and well managed facility should not cause significant noise and disturbance and consequent detriment to the amenities of nearby residents.

The noise report sets out the acoustic detailing of the building, including cavity masonry walls using heavyweight blocks, double glazing with airgaps, careful positioning of Passivent Fresh ventilation with good acoustic performance to the north-west elevation, rockwool insulation under the aluminium roof with two layers of plasterboard below and an acoustic ceiling incorporating an airgap. In addition to the acoustic design of the building, further noise attenuation is included in the form of the 3 metre high acoustic fence and a hay stack/hay bale wall to the southeast. As such, significant noise attenuation measures have been included beyond that of the previously refused scheme.

Your officers have given substantial consideration to the proposed hay stack and its ability to be effectively controlled. In many ways it seems a somewhat contrived method of attenuating noise. That said, following discussions with the applicant's acoustic consultant, your officers are satisfied that it will be capable of delivering the required attenuation assumed in the noise report. Your officers are satisfied that a condition can be drafted that would mean that should the hay stack be reduced below that required then the use of the kennels would have to cease.

These further measures support the conclusion that noise levels during the night, when doors are closed and during the day time when there is sufficient management in place to deal with short term extreme barking events, should be acceptable. Concern has also been raised suggesting that it is not just night time noise that would cause potential problems; continuous barking during the day could also lead to injury to amenity. Indeed, during the day, the kennel doors are likely to be open for ventilation and the dogs would have to be exercised. However, again, if the facility is well managed, there is no reason to suspect that there would be regular protracted episodes of barking.

Regardless of this, it is acknowledged that some barking may be audible in the surrounding area and that no noise assessment will be able to categorically state that there will or will not be a noise nuisance. A further report stating the day to day management strategy for the proposed business is also included. It would therefore

appear that the applicant is fully aware of the potential for there to be some noise generated from the business and has made provision to ensure that this is minimised. As such, the Environmental Health Section raise no objection to the application, provided the building is constructed in accordance with the specifications provided and the kennels managed appropriately and conditions to this effect are recommended. Letters received from local residents raised concerns regarding the noise assessment and a critique of the noise assessment by MAS Environmental has been submitted. Your Environmental Health officer has reviewed this and has not changed his opinions.

It should be noted that there is provision to investigate complaints regarding noise under the Environmental Protection Act 1990 and as such, this matter could be dealt with by the Environmental Health Section, if future complaints should arise. This is not suggested as an alternative, but simply highlights that there is a procedure for the investigation of noise complaints. Accordingly, it is considered that the objections on noise grounds cannot be given sufficient weight to justify the refusal of planning permission.

It is also important to note that the closest residential property to the proposed kennels is in fact the dwelling in which the applicant resides, only 50 metres away. It would therefore follow that the applicant would seek to ensure that any noise associated with the dog kennels is kept to a minimum so as not to impact upon his own residential amenities. Furthermore, it is important to note that this also shows that there is someone residing on site to tend to the animals if any noise was to occur during the night.

Other matters

Concerns have been raised regarding flooding of the road and the Council's Drainage Officer queries how the surface water runoff from the track and areas surrounding the kennels would be dealt with. The new track was dealt with under application 27/14/0002 for the new access and a condition was attached stating that provision shall be made within the site for the disposal of surface water before the access is brought into use. The runoff from the track itself would therefore be dealt with under that previous condition. It is suggested that a similar condition should be attached to this application requiring details to be submitted for the disposal of surface water for the areas surrounding the kennels. Furthermore, it is not considered that the proposed scheme would result in a significantly increased impact on water flows or flooding along this lane and the appropriate consents should be obtained from the Environment Agency regarding drainage.

The site is within around 300-400m of the Lang's Farm Site of Special Scientific Interest (SSSI). Having considered guidance from Natural England, it is considered that it is unlikely that the development would have an adverse impact upon the SSSI

Conclusion

In conclusion, it is acknowledged that there could be dog barking in association with the use of the kennels that may generate noise. As stated above, the management of the kennels is a key factor in preventing and mitigating any potential noise and a well-managed facility could operate without harm to the living conditions of nearby

residents, as is evident with other kennels within the Borough. In comparison to the previous scheme, substantial physical measures have been put in place such as the acoustic fence and the building has been fully designed to incorporate noise attenuation measures. On this basis, it is not considered reasonable to withhold permission as the evidence suggests that the proposal is unlikely to result in significant noise disturbance.

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

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