

Committee Report

Application No:	DC/18/01180/COU
Case Officer	Joanne Munton
Date Application Valid	20 November 2018
Applicant	Mr Robert Swan
Site:	Granby Stables Opposite Streetgate Farm Gateshead Road Sunniside Whickham NE16 5LE
Ward:	Whickham South and Sunniside
Proposal:	Change of use of one block from livery stable to indoor daycare facility for dogs, including alterations to doors and fenestration (amended 06/12/18 and additional information received 08/01/19).
Recommendation:	GRANT
Application Type	Change of Use

1.0 The Application:

1.1 DESCRIPTION OF SITE

The application site is within an existing stables/livery, which includes northern and southern stable blocks, a yard between the blocks, access point and car park to the east of the blocks, and surrounding fields associated with the use.

1.2 Specifically, the application site comprises the northern stable block, yard, car parking area and access road. The stable block is a single storey timber building with concrete floor and corrugated bitumen roof. The northern stable block currently accommodates five horses and the stable doors face south onto the yard.

1.3 The site is in the Green Belt.

1.4 DESCRIPTION OF APPLICATION

The application proposes the change of use of the northern stable block to an indoor daycare facility for dogs and external alterations comprising:

- replacement of three stable doors with double glazed windows;
- replacement of the easternmost stable door with an entrance door;
- blocking up of the stable door nearest the new entrance door;
- creation of access door on northern elevation.

1.5 The indoor daycare would provide a quiet area, and indoor play area and a reception area with a kitchen/storage area.

1.6 The information submitted with the application proposes that the daycare provision would be for up to 10 dogs between the hours of 08.00 and 18.00.

1.7 RELEVANT PLANNING HISTORY

727/94 - Erection of five additional stables and two loose boxes and siting of caravan for use as office (retrospectively) and erection of 9 feet high screen fencing around caravan - Granted 07.08.1995

2.0 Consultation Responses:

None

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 Councillor Marilyn Ord has requested that the application be reported to Planning Committee.

3.3 Additionally, 6 letters of objection have been received from residents, raising concerns regarding:

- Increased noise and disturbance;
- Impact on stress and mental health as a result of increased noise;
- Increased smell from dog waste and health impacts from the waste;
- Potential for business to provide care overnight and/or seven days a week;
- Existing use has insufficient parking;
- Drop off and pick ups would occur at similar times and at rush hour/when roads are busy.

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV61 New Noise-Generating Developments

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS19 Green Belt

5.0 Assessment of the Proposal:

5.1 The key considerations to be taken into account when assessing this planning application are Green Belt, visual amenity, residential amenity and highway safety and parking.

5.2 GREEN BELT

The site is in the Green Belt. Paragraph 143 of the NPPF states:

5.3 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'

5.4 Paragraph 146 of the NPPF continues:

'Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are [amongst others]:

d) the re-use of buildings provided that the buildings are of permanent and substantial construction'

5.5 It is considered that the proposal would fall within the above exception and would therefore not be inappropriate development in the Green Belt. The proposal would comply with the aims and requirements of policy CS19 of the CSUCP and the NPPF.

5.6 VISUAL AMENITY

The building is existing and it is considered that the proposed external alterations, and the proposed change of use itself, would not have an unacceptable impact on visual amenity in the area.

5.7 The proposal would comply with the aims and requirements of saved policy ENV3 of the UDP, policy CS15 of the CSUCP and the NPPF.

5.8 RESIDENTIAL AMENITY

The subject building is located 60m from the boundary with land at neighbours at Granby Cottage and 62m from the boundary with land associated with neighbours at Bracken Cottage and Ponticherry Cottage, to the west.

5.9 It is acknowledged that Gateshead Road to the south is busy and contributes to background noise levels. Additionally, there is an existing business currently running on site every day of the week and noise associated with the horses.

5.10 The applicant proposes operating hours as 08.00-18.00 Monday to Friday. Therefore, this application does not propose dog boarding, but care for dogs

during the day on weekdays only, with no overnight care on offer. It is considered that a condition restricting the use to the proposed hours of operation would be unnecessary and it is recommended that a condition be imposed restricting the use to the hours of 07.00-21.00 on any day.

- 5.11 Additionally, it is considered that a maximum of 10 dogs in the day care at any one time would be reasonable and a condition is recommended to be imposed restricting numbers to this.
- 5.12 The red line boundary of the application site does not include the field to the north of the stables, as this would remain in primary use for horses. It is appreciated that dogs normally require exercise, and that it would be reasonable for a dog day care business to offer dog walking in their package. Planning cannot reasonably control where dogs are walked, and if the business were to offer this service this could occur off-site. Additionally, if the field to the north of the stables ceased to be primarily used for horses and a material change of use occurred, this itself would require planning permission, and would be dealt with separately to the proposal in this application.
- 5.13 The applicant proposes in their submitted statement that the business would conduct behaviour assessments of dogs to determine if they would be suitable for the day care on offer. The statement also proposes insulation on the walls and ceilings of the building, and for windows to be double glazed.
- 5.14 To ensure that appropriate measures would be in place to address potential noise generation, it is recommended that conditions be imposed requiring a noise management plan to be submitted to the LPA for consideration, and implementation of the approved details.
- 5.15 In terms of concerns raised by objectors regarding dog waste, the applicant's submitted statement confirms that measures would be in place to appropriately deal with this. In any event, this matter would be addressed by the license application that would also be required, and would therefore be dealt with outside of planning, so a condition relating to management of dog waste is not considered to be necessary.
- 5.16 Therefore, it is considered that conditions could appropriately address issues of potential noise and smells resulting from the proposed use. Subject to conditions, the proposal would comply with the aims and requirements of saved policies DC2 and ENV61 of the UDP, policy CS14 of the CSUCP and the NPPF.
- 5.17 **HIGHWAY SAFETY AND PARKING**
The applicant has submitted a statement advising that currently the livery business has 12 stables and therefore generating a potential 24 visits per day (trips by owners to turn horses out in the morning and bring them in in the evening). The proposed conversion of 5 stables would remove the need for 10 trips per day associated with horses. The applicant also states that fewer horses on site would reduce the number of tractor visits for the supply of hay

and straw, and the number of farrier, vet and dentist visits associated with the remaining horses on site.

5.18 The applicant proposes that their livery business offer morning turn out and evening bring in as part of the customer livery package, which would reduce the need for regular trips to the site by owners. In addition to this, the applicant proposes to offer a collection and drop off service to customers of the dog day care business, which would also reduce trips to and from the site.

5.19 However, it is acknowledged that the proposal for day care for up to 10 dogs has the potential to increase customer visits to the site, and the application proposes two additional part time members of staff.

5.20 A number of customer visits to the site already occur and there is existing parking provision on site. It is considered that the proposal would not result in an unacceptable number of trips to/from the site and that the proposal would comply with policy CS13 of the CSUCP and the NPPF.

5.21 **COMMUNITY INFRASTRUCTURE LEVY**
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development.

5.22 **OTHER MATTERS**
The proposal must be considered on its merits as proposed in the application, and any future extension of hours of operation would be considered in a separate application process.

6.0 CONCLUSION

6.1 The proposal allows an existing business to diversify and it is considered that potential impacts on residential amenity could be addressed by appropriate conditions.

6.2 Taking all the relevant issues into account, it is considered that the proposed development is acceptable in terms of Green Belt, visual and residential amenity, highway safety and parking, and would comply with the aims and objectives of the NPPF, and the relevant policies of the UDP and the CSUCP.

6.3 Therefore, it is recommended that planning permission be granted, subject to the below conditions.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Pp0000000Granby Stables Existing and Proposed Site Layout
(received 06.12.2018)

AD01: Existing and Proposed Layout

AD02: Existing and Proposed Front Profile

AD03: Existing and Proposed Back Profile

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

The day care business shall not care for more than ten dogs on site at any given time.

Reason

To prevent undue harm to the living conditions of the occupiers of surrounding properties in accordance with saved policies DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and the National Planning Policy Framework.

4

The use hereby approved, including picking up and dropping off of dogs, shall only operate between the hours of 07.00-21.00 on any day.

Reason

To prevent undue harm to the living conditions of the occupiers of surrounding properties in accordance with saved policies DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and the National Planning Policy Framework.

5

The use hereby approved shall not be brought into operation until a noise management plan, providing details of mitigation of potential noise generation and including timescales for implementation, has been submitted to and approved in writing by the local planning authority.

Reason

To prevent undue harm to the living conditions of the occupiers of surrounding properties in accordance with saved policies DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and the National Planning Policy Framework.

6

The details approved under condition 5 shall be implemented in full accordance with the approved details and timescales and retained/maintained on site for the lifetime of the development.

Reason

To prevent undue harm to the living conditions of the occupiers of surrounding properties in accordance with saved policies DC2 and ENV61 of the Unitary Development Plan, policy CS14 of the Core Strategy and the National Planning Policy Framework.



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