

Planning Committee

22 August 2013

Reference:
APP/13/00688

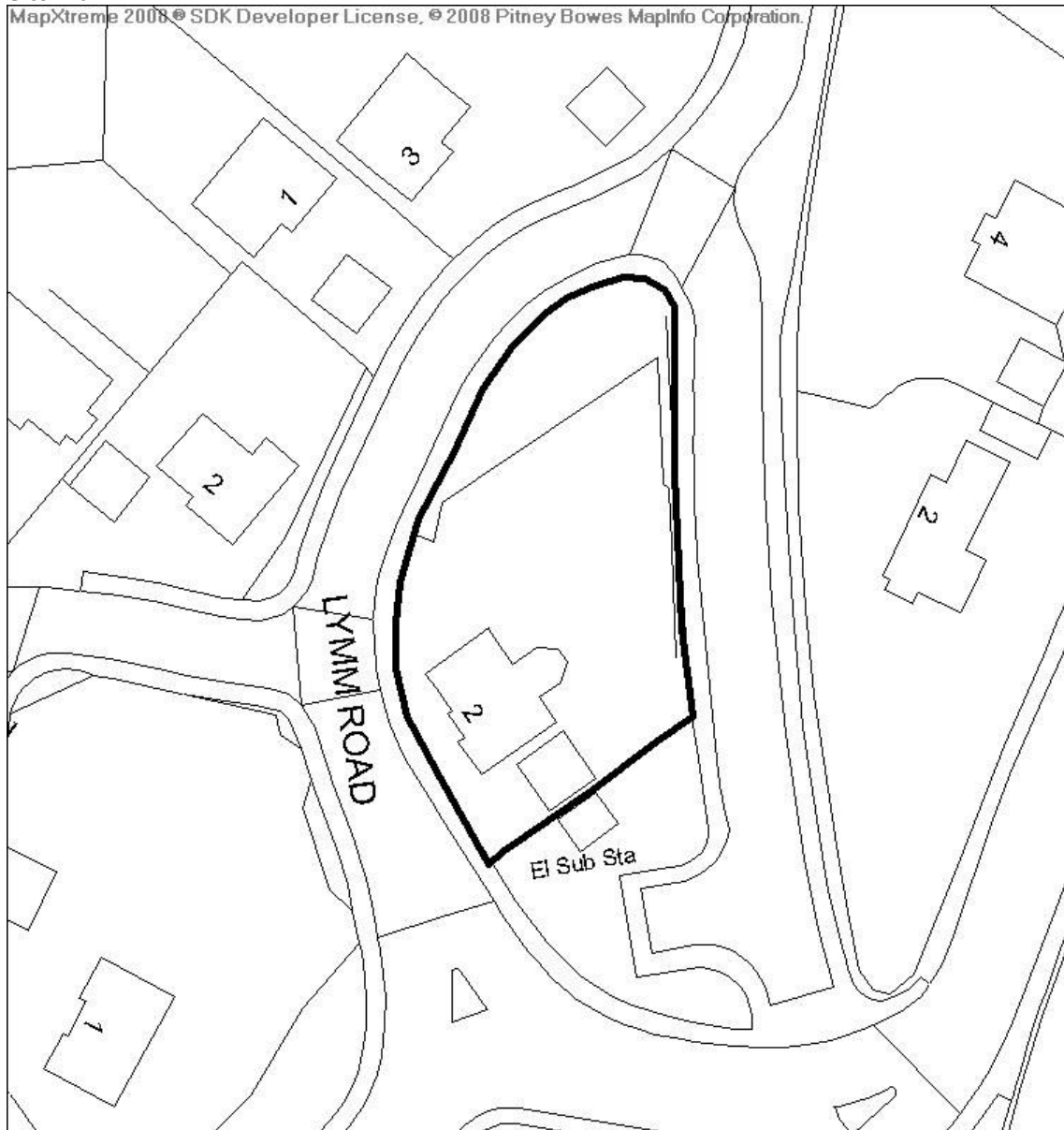
Area Team:
North Team

Case Officer:
Mrs S Lacey

Ward:
Bidston and St James

Location: 2 LYMM ROAD, BIDSTON, CH43 7NR
Proposal: Proposed cattery comprising of an outbuilding of 15 small units to house a maximum of 20 cats, and isolation unit.
Applicant: Cosy Cats Cattery Ltd
Agent :

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:

None

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, 6 notifications were sent to adjoining properties. A Site Notice was also displayed. One objection has been received following publicity of this application from 2 Eleanor Road citing the following concerns:

1. The size of the cattery;
2. The application is a residential area and is closer to neighbours homes than the applicant's home;
3. The likely increased demand on Council services through complaints to Environmental Health regarding noise and smell;
4. Increased traffic in a small, poor quality cul-de-sac currently only used by 3 properties, and where it is difficult to turn;
5. The drawings do not appear to be to scale;
6. Impact on the trees;
7. 20 cats will likely increase the prospect of noise nuisance, higher traffic levels and smells;
8. Conditions should be attached requiring the regular removal of waste, hours of dropping off/collection (9am-5pm) and monitored and limit only cats should be housed;
9. Will the business be accepting visitors?;
10. The entrance is on a blind bend and there are traffic issues;
11. Visitors will have to park on the cul-de-sac.

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - no objections to the proposal

Head of Environment & Regulation (Traffic & Transportation Division) - no objections to the proposal

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application has been removed from delegation on the request of Councillor Jim Crabtree, on the grounds of the objections from the neighbours at No.2 Eleanor Road.

INTRODUCTION

The application proposes a cattery within the garden of 2 Lymm Road. The cattery comprises of an L-shaped outbuilding measuring 13.8 metres in length, comprising of 15 small units to house a maximum of 20 cats, and an isolation unit. Both buildings are timber built, and 2 metres in height.

PRINCIPLE OF DEVELOPMENT

Non-residential uses can be acceptable in residential areas if they meet the requirements of UDP Policy HS15.

SITE AND SURROUNDINGS

The site comprises a detached brick property with a large garden, situated in a residential area. The property has an existing double garage and off-street parking for two cars. Access is gained off the cul-de-sac, which has no waiting restrictions and serves one other property. There is a turning head

at the end of the cul-de-sac. The property is surrounded by roads on all sides, and the nearest residential property is 18 metres away from the proposal. The site is screened by 1.8 metre high wooden fences and mature trees and hedges to the boundaries.

POLICY CONTEXT

The application shall be assessed against Policy HS15 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework (NPPF).

Policy HS15 sets out that non-residential proposals should be of an appropriate scale to surrounding development and not result in a detrimental change in the character of the area or cause nuisance to neighbouring uses particularly in respect of noise and disturbance, on-street parking and deliveries. This is consistent with the NPPF which encourages sustainable development and expects planning to achieve a good standard of amenity and core principle.

APPEARANCE AND AMENITY ISSUES

The proposal is considered acceptable in scale, design, materials and siting. The proposed buildings are 2 metres in height and are not considered to form a visually obstructive feature when viewed from the street scene or neighbouring properties. The low buildings will be partially screened from the streetscene by the solid 1.8 metre high wooden fencing and mature trees and vegetation, and the height and timber materials of the buildings are no more obtrusive than a garden fence. The proposed footprint of the buildings are considered acceptable given the size of the garden is approximately 740 square metres, and a large amount of amenity space will remain. The proposal remains 18 metres away from the nearest residential property and will not result in overshadowing, or an overbearing appearance.

The proposal is for a maximum of 20 cats, which is not deemed to be excessive or of an inappropriate commercial scale to surrounding development or result in a detrimental change in the character of the area given the nature of use and its location. It is not considered the proposal for 20 cats is significantly detrimental to neighbouring amenities. Should the application be approved, a condition should be placed restricting the number of cats.

An objection was received concerning inaccurate drawings. The submitted drawings are to scale.

The proposal is of an appropriate scale and is considered not to result in a detrimental change in the character of the area. The number of cats proposed is considered not to result in noise and disturbance to the detriment of neighbouring residential properties. The proposal complies with Policy HS15 with permits small-scale non-residential development in residential areas.

SEPARATION DISTANCES

The nearest property is 18 metres away from the proposal. No residential properties will be affected by the proposed development in terms of overlooking or loss of privacy.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal. The Head of Environment & Regulation (Highway Management Division) were notified and commented the cattery is unlikely to create any significant traffic or highway safety issues. As the cats tend to board for a week this reduces daily traffic flow. Additional heavy vehicles are unlikely to be generated by the proposal. The number of visits are likely to be low and during the daytime.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposed structure will not have a detrimental impact on the mature protected trees adjacent. Neighbour concerns have been raised relating to the number of cats, noise, smell and the disposal of waste. The Head of Environment & Regulation (Pollution Control Division) had no objection to the proposal, and excessive noise could be dealt with under Environmental Legislation. The proposed structure is secure and is to be built with a wooden frame with mesh panels. There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is of an appropriate scale and is considered not to result in a detrimental change in the character of the area. The number of cats proposed is considered not to result in noise and disturbance to the detriment of neighbouring residential properties. The proposal is not considered detrimental to highway safety. The proposal complies with UDP Policy HS15 with permits small-scale non-residential development in residential areas.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is acceptable in terms of scale, siting, materials and will not cause an adverse impact onto the neighbouring properties. The proposal is therefore acceptable in terms of the criteria set out in Policy HS15 Non-Residential Uses in Primarily Residential Areas in the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

**Recommended Approve
Decision:**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (insert date) and listed as follows: (insert plan/drawing numbers & date)

Reason: For the avoidance of doubt and to define the permission.

3. The cattery building hereby approved shall provide accommodation for no more than 20 cats at any one time, and no other animals at any time.

Reason: In the interests of amenity

4. The dropping-off and collection of cats by customers shall be between the hours of 08.00 hours and 21.00 hours

Reason: In the interests of amenity

Further Notes for Committee:

Last Comments By: 24/07/2013 11:49:49

Expiry Date: 16/08/2013