

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01651/FP	Erection of detached kennel block.	Hare Park Farm Royston Road Slip End Baldock Hertfordshire SG7 6SL

Submitted Plan Nos

Location Plan 25-2023-01P 25-2023-02P 25-2023-03P 25-2023-04P 25-2023-05P 25-2023-06P

1.0 Policies

1.1 **National Planning Policy Framework (2024)**

Section 2 – Achieving sustainable development
Section 6 – Building a strong, competitive economy
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

1.2 **North Hertfordshire Draft Local Plan (2011-2031)**

Policy SP1 – Sustainable Development in North Herts
Policy SP5 - Countryside and Green Belt
Policy SP9 – Design and Sustainability
Policy SP12 – Green infrastructure, landscape and biodiversity
Policy SP13 – Historic environment
Policy CGB1 – Rural Areas beyond the Green Belt
Policy T1 – Assessment of transport matters
Policy T2 – Parking
Policy D1 – Sustainable design
Policy D3 – Protecting Living Conditions
Policy NE2 - Landscape
Policy NE4 – Biodiversity and geological sites
Policy HE1 – Designated heritage assets
Policy HE4 - Archaeology

2.0 **Site History**

89/00076/1 - Use of existing building as cattery and erection of kennels (Outline- design and external appearance reserved). Conditional Permission.

89/01592/1 - Extension to existing building to provide 12 cat cages, erection of 19 kennels, parking for 8 cars and alterations to existing access. Conditional Approval.

98/01375/1 - Conversion of barn to provide one bedroom staff accommodation. Conditional Permission.

3.0 **Representations**

3.1 **Site Notice and Neighbour Notification** – None received.

3.4 **Parish Council / Statutory Consultees:**

Ashwell Parish Council – No objection.

HCC Highways – Approve subject to a condition for a Construction Method Statement (CMS). The latter part of the condition which refers to works that may extend beyond the scope of the site plan, Highways have agreed can be deleted.

HCC Archaeology – Approve subject to a condition for a Written Statement of Investigation (WSI).

Ancient Monument Society – None received.

NHC Ecology – No objection subject to condition requiring a Biodiversity Net Gain Plan.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 Hare Park Farm is a detached property situated on the north-west side of the A505 dual carriageway, adjacent to the filling station to the north and Hare Park Cottage to the south. The site consists of various outbuildings and kennels as approved under the 1989 application.

4.2 **Proposal**

- 4.2.1 Erection of detached kennel block.
- 4.2.2 The application is accompanied by a Biodiversity Assessment and a Design and Access Statement (DAS).

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:
- Whether the proposed development would be inappropriate development in the Rural Area beyond the Green Belt for the purposes of the National Planning Policy and Local Development Plan.
 - The impact the proposed development would have on the character and appearance of the property and the surrounding area.
 - The impact that the proposed development would have on the living conditions of nearby neighbouring properties.

Principle of Development in the Rural Area beyond the Green Belt

- 4.3.2 The site is designated as being within the Rural Area beyond the Green Belt within the Local Plan, where there is a general presumption against development unless it meets with criteria set out under Policy CGB1. In this case, I am satisfied that the proposed development relates to an existing rural building and is development which would

provide economic benefit to the local area. In addition, the previous approvals for the site establish the principle of this type of development in this location.

- 4.3.3 I do not consider that the proposed kennel block would harm the character of the countryside or affect the landscape quality of the site.

Design and Appearance:

- 4.3.4 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed places). Paragraph 131 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. In this regard, Policy D1 of the North Hertfordshire Local Plan is consistent with the objectives set out within the NPPF.

- 4.3.4 The site benefits from a previous approval for the erection of a number of kennels and the proposed development would see an expansion of the number of units, shown on the existing plan as being 16 and stated in the DAS to offer accommodation for up to 24 dogs. A new kennel block is proposed which could offer accommodation for up to 66 dogs resulting in a total of 70 dogs on site if the units are occupied at maximum capacity. The design of the kennel block would be separated into four 6 unit plus 1 x family blocks with the total block providing for: 4 x family units and 25 other units see the following breakdown provided by the agent:

1. Existing kennel unit is licensed for up to 24 dogs.

2. The proposed new kennel block has the following units:-

6 Number double units 1, 7, 17, 18, 23 & 24 that can house up to 2 number Medium spaniel sized dogs. = 12.

18 Number single units 2-12, & 13-22 that can house up to 1 number Medium spaniel sized dogs. = 18.

4 Number family units 1, 2, 3 & 4 that can house up to 4 number Medium spaniel sized dogs. = 16.

Total Number = 46 Medium spaniel sized dogs making an overall total Of 70 medium sized dogs in both the new and existing kennel blocks.

- 4.3.5 All units would comprise of a sleeping area with hatch to an individual external run area and beyond this an escape run. Beyond each escape run to each block of six units is a larger external exercise area. The proposed kennel block would measure 27.86m in width by 12.69m in depth with a low-pitched roof having a total height of 3.0m with an eaves height of 2.5m. Rooflights will be placed in various positions above the kennels.
- 4.3.6 The revised DAS states that low level external lighting is present to the existing kennels and that this lighting will be reflected to the new kennel block. No details have been

submitted regarding this hence a condition to be added to ensure any additional external lighting will not interfere with the character of the countryside setting.

- 4.3.6 Foul waste would be collected manually and would be disposed of into a new septic tank with surface water discharged to soakaways positioned a minimum of 5m from new and existing buildings.
- 4.3.7 Materials would comprise of a concrete floor laid to fall internally to a central aco drainage channel and laid to fall externally to aco channels to the outside edge of the external escape runs. Light grey and green metal cladding is proposed to the external walls with a light green profiled metal sheeting to the roof of the kennels. All existing fences would remain with new planting to the site boundary.
- 4.3.8 The number of staff members would increase from four full-time and two part-time to six full-time and four part time.
- 4.3.9 The existing access from the A505 would be retained with on site parking provision as existing, eight spaces for staff members and up to 15 visitor spaces.
- 4.3.10 The site is substantially obscured from wider public views and with the units being low in terms of height and so any impact to the character and appearance of the landscape would, in my view be minimal and acceptable.

Impact on Neighbouring Properties:

- 4.3.11 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.12 No objections to the development have been received. However given the increase in the number of kennels and subsequently the number of dogs, noise from the site has the potential to be significantly increased though given the presence of existing units and the distance to residential properties to the south, I am satisfied that existing neighbouring amenity would not be compromised as a result of the development and is acceptable.

Environmental Implications:

- 4.3.13 The proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain (BNG)

- 4.3.14 A Biodiversity Assessment dated September 2024 has been submitted with the application together with the Statutory Metric. The Biodiversity Assessment provides for an existing on-site baseline biodiversity value of +0.2240 area-based Habitat Units with the predicted Post-Biodiversity Assessment showing a net gain of +0.2676 area-based Habitat Units and so a gain of 200sqm which would be of mixed scrub and eight small trees. Based on the assessment the mandatory biodiversity target has been achieved with a net percentage change of 19.46%.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of both the existing and emerging Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 The agent has agreed to the pre-commencement condition regarding external lighting.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:

Access arrangements to the site.

Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas).

Siting and details of wheel washing facilities.

Cleaning of site entrances, site tracks and the adjacent public highway.

Timing of construction activities (including delivery times and removal of waste) and to

avoid school pick up/drop off times.

Provision of sufficient on-site parking prior to commencement of construction activities.
Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

4. A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme and methodology of site investigation and recording as required by the evaluation
 3. The programme for post investigation assessment
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
- B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)
- C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: In order to protect the historic environment in accordance with Policies HE1 and NE4 of the North Hertfordshire Local Plan 2011-2031.

5. Prior to the commencement of the development hereby approved, full details of any external lighting across the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details. The lighting measures shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason To ensure that any resulting external lighting is appropriately located and designed to ensure there is no harmful impact to the countryside and biodiversity and

to comply with Policies D1 and NE4 of the North Hertfordshire Local Plan 2011-2031.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. 1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

2. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the

Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 16 January 2025	