NORTH HERTFORDSHIRE DISTRICT COUNCIL

Correspondence address:
North Hertfordshire District Council, PO Box 10613, Nottingham, NG6 6DW
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Application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990

Publication of applications on planning authority websites.
Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:		First Name:	Jeremy
Surname:	Burrowes		
Company name:			
Street address:	11 Trevor Road		
		Telephone number:	
		Mobile number:	
Town/City:	Hitchin	Fax number:	
Country:		Email address:	
Postcode:	SG4 9TA		

Are you an agent acting on behalf of the applicant? ○ Yes ◉ No

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Site Address Details

Full postal address of the site (including full postcode where available)

House:		Suffix:	
House name:	Country Boarding Kennels		
Street address:	Gannock Lane		
Town/City:	Baldock		
Postcode:	SG7 6NL		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	529181
Northing:	237396

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? (•) Yes ( ) No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: Mr First name: Rory Surname: Cosgrove

Reference:

Date (DD/MM/YYYY): 26/04/2018 (Must be pre-application submission)

Details of the pre-application advice received:

I am less concerned about the extended use of the dog park given that it is a vast area and the dogs will not necessarily be close to the kennel blocks and therefore to the neighbours as well. We do not have any evidence to suggest the use of the dog park will affect residential amenity. However, I do still have concerns over dogs being brought out from the kennels and taken to the dog park prior to 8am. My greatest concern with your request relates to the use of the training building. This is because it is the closest aspect of your business to a resident on that side and it has not been in use for a long period so the evidence to suggest it is not a problem is limited. The timings below reflect these concerns but they also acknowledge the fact that you have implemented a number of noise mitigation measures to control noise at the premises. This in principal agreement is based on allowing a temporary permission for a period of 12-18 months providing planning are in agreement.

• Dog park: 8am – 8pm Monday to Saturday and 8am – 6pm Sundays and Bank Holidays (excluding Christmas Day).

• New reception: 8am – 8pm Monday to Saturday and 8am – 6pm Sundays and Bank Holidays (excluding Christmas Day).

• Training building: 8am- 8pm Monday to Saturday, 8am – 2pm Sundays and Bank Holidays (excluding Christmas Day).

5. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter:

Continued use of land as dog park with associated landscaping features and access road. .....

Application reference number: 15/02119/1 Date of decision: 17/11/2015

Please state the condition number(s) to which this application relates:
Condition number(s):

Note 12

Has the development already started? (•) Yes ( ) No If Yes, please state when the development was started: 21/11/2016

Has the development been completed? (•) Yes ( ) No If Yes, please state when the development was completed: 19/09/2017

6. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed:

The current operating hours imposed by the planning decision are detrimental to our daily operation of the business. For 6 days of the week, our kennel and exercise routines operate in one format while on Sundays, many aspects are affected as a knock on effect by the restriction on the public not being able to use the dog park on Sunday afternoons. In addition, we find that the public are forever requesting Sunday afternoons and Bank Holidays slots to use the dog park which we have to decline. This is an amenity which is highly regarded by the community and is not being fulfilled to its potential.

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

Being aware of the sensitive nature due to our location and neighbours' concerns, we have tread carefully and sought advice from planning and environmental health officers before making this application. The reason given in the permission for restricting the hours of operation was to safeguard the reasonable living conditions of adjacent residential properties. The dog park has been operating for approximately 5 years and our new training hall has been in place for 8 months. During these periods we are not aware of any nuisance complaints of noise or vehicle movements of the public or any other substantiated issue which has caused a detrimental effect to the living conditions of our neighbours. With this in mind, we feel it is time to make the application below which has been suggested by your Environmental Health department as a reasonable compromise to what we requested to them.

The business operating hours should be amended as follows:

• Dog park: 8am – 8pm Monday to Saturday and 8am – 6pm Sundays and Bank Holidays (excluding Christmas Day).

• New reception: 8am – 8pm Monday to Saturday and 8am – 6pm Sundays and Bank Holidays (excluding Christmas Day).

• Training building: 8am- 8pm Monday to Saturday, 8am – 2pm Sundays and Bank Holidays (excluding Christmas Day).

7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? (•) Yes ( ) No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

( ) The agent (•) The applicant ( ) Other person

8. Certificates (Certificate A)

Certificate of Ownership - Certificate A
Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding *("agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act)*.

Title: Mr First name: Jeremy Surname: Burrowes

Person role: APPLICANT Declaration date: 02/05/2018 ☑ Declaration made

9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/ drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☑ Date 02/05/2018