Expiry Date - 19/03/2024

# Development Control – Delegated Officer Report

**Application Number: AWDM/0095/24 Recommendation – APPROVE**

**Site: 9 Allendale Avenue Worthing West Sussex BN14 0AH**

**Proposal: Erection of wooden cattery blocks, comprising of two blocks of 3 units each and conversion of existing wooden shed to one large family unit. Taking cattery from 10 pens total to 17.**

**Date of site visit**: 06.02.24

**Neighbours checked:** Y

**Additional neighbour notifications:** N

**Site, Surroundings and Background**

The application property comprises a detached bungalow occupying a 'backland' plot accessed from a surfaced private access road off Allendale Avenue to the South. The property adjoins the back gardens of properties in Ashfold Avenue to the North, Findon Road to the west, and Allendale Avenue to the South. To the NE the application property adjoins another 'backland' bungalow (9A) accessed from the same private road. Properties in 'The Heights' (Nos 18-23) adjoin the east side of the private access road, the latter providing rear access to a garages/parking areas in a number of the back gardens.

The property occupies an irregular-shaped plot. The main front aspect of the dwelling faces East along a gravelled drive leading off the above-mentioned private access road. There is a good-sized parking and turning area in front of a pair of attached /integral garages on the south side of the dwelling. An L-shaped garden wraps around to the North and West sides of the dwelling with steps down into a narrower strip of garden extending westward (formerly within the curtilage of 114 Findon Road). Surrounding land slopes down to the west.

Temporary planning permission was granted under AWDM/1373/21 for the property to be used as a boarding cattery for up to 20 cats in 10 pens, which was made permanent under AWDM/1241/23. The pens are contained within a timber outbuilding located within the western strip of garden (formerly part of 114 Findon Road). The timber outbuilding (13.25m long x 4.4m wide) has been excavated into the existing gradient of the garden. It has a shallow mono pitched roof. There are a number of large mesh-covered openings on the south side to provide fresh air into the pens. Panels are placed over the mesh openings overnight.

**Proposal**

The application proposes the erection of two further cattery blocks to the western part of the garden each block would have 3 units. One block would face south similar to the existing block and one block would face east into the site. Both would be of a wooden construction with flat roof. The application also includes the conversion of an existing shed to the east of the existing sheds for a large family group of cats. It is proposed that that the cattery would increase from 10 pens to 17 pens in total.

The applicants have provided the following supporting statement:

*Since opening the cattery in December 2022 the business has grown rapidly. Coupled with the closure of at least 3local catteries due to retirement has meant that we have been turning custom away on a regular basis since spring2023. Both the catteries in Steyning and Yapton were big so this is a loss of a large number of available pens in the area. This has become more and more regular after cottage Garden cattery has announced their closure at the end of the January due to ill health/early retirement and we already have a large number of weeks completely full and bookings going into 2025.We believe there is adequate need within the community and as one of the smallest catteries in the area we feel this is the perfect time to increase our business to its full potential capacity. There has been no teething problems or complaints from our neighbours and the business has run with absolutely minimal impact on the traffic.*

**Relevant Planning History:**

AWDM/1373/21 Proposed boarding cattery with outbuilding in garden to west comprising of 10 individual pens (20 cats capacity in total). Permitted for a temporary period of 12 months from the first cat boarder.

AWDM/1241/23- Permanent retention of boarding cattery use with 10 individual pens (20 cats in total)- APPROVED

**Consultations:**

***WSCC:*** The Local Highway Authority has raised no objection, commenting:-

WSCC in its role as Local Highway Authority (LHA) provided consultation advice for the preceding application at this site (AWDM/1241/23), raising no highway safety concerns.

This application was permitted by the Local Planning Authority (LPA).
From inspection of the submitted plans, there appears to be suitable space within the site to accommodate an appropriate amount of vehicular parking. Given the nature of the use as a cattery, the majority of trips associated with the site will mainly be for customers dropping off and picking up of their cats, and such movements are anticipated to be outside of network peak times. In

addition, given the scale of the proposed expansion of the cattery, such a use is not anticipated to generate a significant number of movements.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access point has been operating unsafely, or that the proposals would exacerbate an existing safety concern.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal

**Adur and Worthing Councils**

The **Environmental Health Officer** has raised no objections subject to the hours remaining as existing.

**Representations:**

'Silver Birches' 3 Allendale Ave

- Concerned about potential effluent from the cat pens
- Increase in cats visiting or passing through the garden encouraged by the cattery
- The area is a residential area and not a business one

11 Allendale Avenue

- Narrow access to the property causing noise and pollution from traffic
- Increased traffic and parking
- A larger commercial enterprise would be more appropriate in a rural area
- Loss of privacy

114 Findon Road

- Noise and disturbance
- Additional smells
- Not a business area

**Relevant Planning Policies**

National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)
Worthing Local Plan (2023): SP1, DM5, DM10,

Expiry Date - 19/03/2024

**Planning Assessment**

***Principle***

It is possible for certain business activities to take place within a residential area without causing unacceptable harm to neighbour amenity. The benefits of such business to the local economy and the value of the service they provide also weigh in the overall balance of considerations. The principle of a cattery has already been accepted in this location.

***Residential Amenity***

The main issue is whether the additional 7 pens would have an adverse impact on amenity.

Six of the pens would be located to the rear of the garden south to south west of the existing pens, the conversion of an existing shed for a family group is also proposed to the existing of the existing pens.

The proposed cat pens are on an area of garden between the gardens of 112 and 116 Findon Road. Both these properties have long back gardens some 45-50 metres in depth. Adjoining to the South West lies the foreshortened garden of 114 Findon Road.

A garden outbuilding within 114 Findon Road occupies the full width of the garden adjoining the common boundary with its felted roof roughly in line with the top of the boundary fence.

The plans show that the proposed 6 pens would be excavated into the gradient of the garden lower than the existing buildings, set off the boundaries. In view of existing outbuildings, fencing and trees its proposed physical presence would not have an adverse impact on the amenities of the neighbouring properties. The cats are contained within their pens. There would be no additional loss of privacy. The area for the pens is relatively secluded, and drop of and pick is primarily within the site which is contained.

Allendale Avenue is a quiet residential road primarily made up of detached dwellings, most with on-site parking provision in the form of garages with driveways or frontage parking. There is scope to park vehicles on either side of Allendale Avenue without restriction.

The entrance to the single track private access road lies between No.7 and 11 Allendale Avenue. It is about 70 metres long and provides the sole means of vehicle and pedestrian access to 9 and 9A Allendale Avenue.

The properties in The Heights adjoining the east side of the private access road have their primary means of access from The Heights. All except No.18 have garaging and/or driveways directly off The Heights. A number of these properties also have parking/garaging and or pedestrian access of the private access road.

The application site has parking and turning within the site and there is a separate parking area adjacent to the access into the property of the access. The proprietors of the cattery have previously indicated that that some customers park in Allendale Avenue and walk up the private road, but most drive up the road and park and turn within the site (in front of the garages).

Customer drop-off and collection times are currently limited to 2no 2-hour slots on Monday-Sundays from 10-12am and 4-6pm. Although there is a potential increase in the number of cats it is unlikely that they would all arrive at the same time and on the same day and as indicated within the noise report this would be by appointment only enabling the drop off and collection of cats to be controlled for noise and operational reasons. The increase in 7 units with a potential of an additional cats is not considered to be likely to cause detrimental impact on neighbouring the properties. Environmental Health or LHA have not raised concerns.

Aside from planning permission the cattery business is required to adhere to separate statutory licensing requirements relating to animal welfare including the size and design of the individual cat pens, dietary requirements and food preparation, environmental enrichment (toys), the maximum number of animals allowed to be kept on the premises, staff qualifications and training, animal handling procedures and record-keeping. Nevertheless, it is recommended a condition is imposed (as before) to ensure the submitted cattery Noise Management Plan is adhered to.

**Biodiversity**

Policy DM18 indicates that all development should ensure the protection, conservation and enhancement of biodiversity and that new development should provide a minimum of 10% net gain for biodiversity- where possible on site.

The application site is on a rear garden area which is mainly laid to rough scrub partly under existing trees. The application would not involve the removal of trees and existing semi mature and mature trees are on the boundaries.

The application will involve the loss of the rough scrub grass. A BNG matrix is not required at this stage as the application was submitted prior to the regulations coming into force.

Policy DM18 require a minimum 10% net gain for biodiversity. As a result the applicant have provided a statement and have indicated that with regards to biodiversity they already enjoy a lot of wildlife in their fully established garden and take measures to provide habitats and shelters for birds, pond life, bats and insects which they already know to live here.

They indicate that they will encourage wildlife into the garden by planting a variety of native shrubs and flowers including pollinators and shrubs with berries for the birds.

They have offered to install further bird feeders, bird baths and nesting boxes of different sizes for different species in the vicinity as well as logs for insects to make a home.

They also indicate that they will install a wildlife pond and a hedgehog house to be placed down the far end of the garden.

The garden would provide an interesting habitat to increase biodiversity and although a 'matrix measure' has not been provided in view of the statement, which can be conditioned, it is considered that the intention of the condition has been addressed in this instance.

***Highway Safety***

No objection has been raised on highway safety grounds by the LHA given the scale of the proposed expansion of the cattery, such a use is not anticipated to generate a significant number of movements.

**Recommendation**

**APPROVE subject to Conditions:-**

1. Drawing Numbers
2. At no time shall any more than 20 cats be accommodated at the cattery in 10 cat pens
3. The cattery hereby permitted shall only be open for drop off and collection of cats by customers between the hours of 10.00 and 12 Midday and between 1600 and 1800 hours on any day.
4. The cattery hereby permitted shall only be operated by the householder of 9 Allendale Avenue and shall not be run separately from the main property or subdivided from the property known as 9 Allendale Avenue.
5. The provisions within the submitted Cattery Noise Management Plan shall be adhered to at all times the cattery hereby permitted is operating.
6. Within 6 months of the occupation of the additional cat pens the measures indicated within the applicants email dated 20th March 2024 to support additional biodiversity within the garden shall be carried out and shall thereafter be retained and maintained.

**Informative**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in

favour of sustainable development, as set out within the National Planning Policy Framework.

**Is recommendation contrary to letter(s) of representation? Y**

Case Officer: Jackie Fox Date: 20.03.24

Authorised by: Gary Peck Date: 26 March 2024