The Planning Inspectorate

Room: 3/21
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

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http://www.planning-inspectorate.gov.uk

Kaye Doyle
87 Downland Avenue
Southwick
BRIGHTON
BN42 4RX

Your Ref:

Our Ref: APP/Y3805/A/09/2107383/NWF

Date: 14 August 2009

Dear Kaye Doyle

Town and Country Planning Act 1990
Appeal by Mr Paul Westley
Site at 81 Downland Avenue, Southwick, Brighton, BN42 4RX

Thank you for your letter making representations and asking the Inspector to look at the appeal site from your property.

I will make sure that the Inspector sees your request. However, it is for the Inspector to decide whether to accept your invitation. If it is accepted, the local planning authority (LPA) and the appellant or their representative will also have to be present throughout the visit.

The purpose of the site visit is to allow the Inspector to see the site before deciding the appeal. The Inspector can be asked to note particular physical features of the site or of the proposed development itself, but will not be able to discuss the merits of the case with anyone during the visit. We will send you details of the site visit as soon as they are made.

I am sending a copy of your letter and this reply to the appellant and the LPA.

Yours sincerely

[redacted]

Simon Rogerson

105(BPR)

INVESTOR IN PEOPLE

You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -
http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button

KAYE DOYLE
87 DOWNLAND AVENUE
SOUTHWICK
WEST SUSSSEX
BN42 4RX
TEL. 01273 595311

July 14th. 2009

RECEIVED
17 JUL 2009
BRING AA PEP

APP/Y3805/A/09/2107583/NWF.

Dear Sir,

I should be happy for the inspector to view the site of the proposed cattery from my back garden.

12/7.

Yours truly,

[redacted]

106 Downland Avenue
Southwick
BN42 4RY

30th July 2009

The Planning Inspectorate
Room 3/21
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Sir/Madam,

Re Landat: 81 Downland Avenue
Southwick.

Planning Inspectorate Number:
APP/Y3805/A/09/2107383/NWF

APPLICATION REFERENCE: APP/0006/09

I am writing to reiterate what I have explained twice before, I strongly object to these Boarding rooms & runs & Shed on the above land, this property is directly opposite my home and would cause even more problems than the household already cause with their inconsiderate parking of their four cars and they already run a catering business which means Butchers vans and 5 & ½ ton catering vehicles along with others that already arrive and they share a driveway so may have no private off road parking.

I already look out onto an eyesore of their front garden which is built up of rubble, borders and mounds of soil raised.

Any business is inappropriate in the residential area of Bungalows & would have an effect on property value,

Yours faithfully,

[redacted]

App. Ref. AAP/0006/09
Planning Ref. APP/43805/A/09/2107383/NWF.

21 Millcroft Avenue
Southwick
West Sussex
BN42 4RU

August 4th 2009.

Dear Sir/Madam,

I understand that an appeal has been made regarding the application for a cattery, on a piece of land-locked "open space" bounded by Downland Ave, Overhill & Millcroft gardens. The owner of this land, who's own back garden does not even border it and has a narrow path to the rear of his neighbour garden to gain access, has decided to sight the cat pens as far away from his property as he can. This means he has total disregard for his neighbours in Millcroft Gardens upon who's borders he has already started to build. The buildings appear to be in timber, so I would question access in case of fire. Also there are no main drains or water/electric to this area, surely all these would be required to maintain a decent level of care for the animals concerned? We already have a large population of foxes in this area, which would be attracted to this site for the possibility of extra food and cause noise & distress not only to the cats in thier pens but also to the neighbouring properties. None of this would be close enough for the owner to be bothered by it! I am also concerned about the extra traffic to an area that is residential, the properties have shared drives, so extra parking & noise at all times of the day & night would have to be in the road. It will be a long walk to carry the

cats to the pens, again via neighbours borders.

Although I am not directly affected by this proposed developement I am in full support of those who are. This is a commercial develope -ment in a very quiet residential area and any change of use of lan in such a restricted area is a cause for concern for everyone. I also wonder if this breaches any Covenant covering this plot of land.

I would also summise that any extra tax gained by Adur Distri Council for commercial use of this land, would be negated by applications by the neighbouring properties for council tax reductu

This concludes my objections to this proposed developement and I request a copy of the decision letter.

Yours Sincerely

[redacted]

2 Millcroft Gardens
Southwick
BRIGHTON
BN42 4RW

Tel: [redacted]

14 July 2009

The Planning Inspectorate
Room 3/21, Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Sir or Madam

Planning Inspectorate Number: APP/Y3805/A/09/2107383/NWF
Proposed Cat Boarding Rooms and Shed on land NE to the rear of 81 Downland Avenue, Southwick, West Sussex

We would like to reiterate our comments made to Adur District Council at the time of the planning application, a copy of which you should have received from the council.

We wish to register our strong disapproval for the granting of permission for this type of business on this almost entirely residential estate, particularly as the proposals do not include the provision of any new additional parking spaces for the operation of that business.

We are aware that some businesses already operate from residential properties on this estate and generate additional motorised traffic, which causes some difficulties and inconvenience to residents. To allow a new additional business, such as a cattery, to be started in the proposed location would generate an unreasonable increase in motorised traffic in Downland Avenue. Not only would there be the continuing coming and going of pet owners delivering and collecting their cats there would also be the additional traffic to service the business, ie providing food and stores and disposing of the wastes.

Traffic movement and vehicular parking are already a problem in Downland Avenue, which has necessitated a large number of residents having to provide additional parking spaces in their own front gardens.

Also to be considered is the noise the cats would inevitably make together with the smell that is likely to be emitted. These are two extremely important points which we feel would be difficult to control on a continual basis, especially situated in the midst of a residential estate.

We feel very strongly that it would be totally unreasonable for the Inspectorate to decide in favour of the appellant and agree to his proposal. We trust that the comments and feelings of the residents will be carefully noted and that common sense will prevail and the appeal rejected.

Yours faithfully

[redacted]

Colin and Sheila Upton

ADUR
DISTRICT COUNCIL

Civic Centre, Ham Road, Shoreham-by-Sea, West Sussex, BN43 6PR
Tel: (01273) 263222 Fax: (01273) 263203 (Calls may be recorded)
www.adur.gov.uk DX 59765 Shoreham-by-Sea
e-mail: developmentcontrol@adur.gov.uk

Development Control

RECEIVED
17 JUL 2009
PINS AA PEP

Not later than six weeks from:- **1st July 2009**

Quoting Planning Inspectorate Reference: APP/Y3805/A/09/2107383/NWF

Concerning 81 Downland Ave. "Catterey".

ourselves and our neighbours have objected before for the catterey to be approved. There is no way we in 114 want it. We have enough traffic speeding up & down this road as it is.
It will course filth and vermin. The house from the outside does not look clean anyway.
Its bad enough neighbours cats use our gardens as litter trays.
We do love animals, but this is a residental street and should not be allowed to house a lot of cats or dogs. etc.
We also would encourage more seagulls which are very dirty and noisy.
Please do not appove application.

Yours faithfully

[redacted]

The Planning Inspectorate
Room 3/21,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN.

Mr & Mrs T.J. Pumfrey,
21 Overhill,
Southwick,
West Sussex,
BN42 4Wl.

11th July 2009

Dear Sir/Madam,

Planning Inspectorate Reference: APP/Y3805/A/09/2107383/NWF

Cattery at 81 Downland Avenue Southwick.

We would like to strongly oppose the siting of a cattery at 81 Downland Avenue on the following grounds.

We consider that this would result in excessive noise which would detract from the enjoyment of our garden.

We are directly downwind of the prevailing s/w wind and the smell of both urine and excrement will undoubtedly affect our garden and no doubt bungalow as well when windows and doors are open in hot weather.

It is bound to attract vermin such as rats and foxes.

We feel there will be an environmental health problem with the disposal of feline waste; this will enter the water table.

We currently have a large number of birds that regularly nest in our garden. Robins, sparrows, wrens, blackbirds and Bluetits to name but a few. Some of these species are already in decline and are unlikely to want to nest adjacent to predators.

Parking is already difficult in the local area and this will only add to the problems, also more traffic will be introduced to a residential area.

There is a covenant on the land preventing business use.

This is a quiet residential area and the noise, smell, and health hazards created are clearly inappropriate.

Our daughters are both asthmatic and this will affect their health greatly with the smell of waste and the cat fur.

Yours sincerely,

[redacted]

Mr & Mrs T.J. Pumfrey

COPY.

89 DOWNLAND AVENUE,
SOMPTING WEST SUSSEX
BN15 9RX
24TH JULY 2009

PLANNING INSPECTORATE APPEAL REF No
APP/Y3805/A/09/2104383
RE 81 DOWNLAND AVENUE.

DEAR SIR,

MRS WESTBURY RECENTLY CALLED ON ME AND TOLD ME THAT A CLUMP OF BAMBOO THEY HAVE PLANTED JUST THE OTHER SIDE OF OUR ADJOINING FENCE. WAS PLANTED BECAUSE I WAS THE FIRST PERSON TO OBJECT TO THE PLANNING MATTER.

AS I ANSURE YOU ARE AWARE, BAMBOO IS VERY INVASIVE AND I FEAR FOR THE SAFETY OF MY PLANTS. IT SEEMS THERE IS NOTHING I CAN DO LEGALLY WHEN IT SPREADS TO MY GARDEN.

SHE ALSO SAID THAT THEY HAVE "OTHER THINGS UP THEIR SLEEVES" WHAT THAT MEANS I HAVE NO IDEA.

I FEEL VERY INTIMIDATED AS I AM ON MY OWN NOW AND IN MY EIGHTIES.

BUT I DO STILL STRONGLY OBJECT TO THE PROPOSED CANTORY FOR ALL THE REASONS IN MY PREVIOUS LETTER TO THE PLANNING OFFICE OF ADUR DISTRICT COUNCIL.

YOURS SINCERELY,

[redacted]

MRS JOAN POTTS.

A COPY OF THE DECISION WOULD BE APPRECIATED A STAMPED ADDRESSED ENVELOPE ENCLOSED

RECEIVED
24 JUL 2009
BNS AA PEP

23 OVERHILL
SOUTHWICK
WEST SUSSEX
BN424WL

THE PLANNING INSPECTORATE
ROOM 3/21
TEMPLE QUAY HOUSE
2 THE SQUARE
TEMPLE QUAY
BRISTOL
BS1 6PN
PLANNING INSPECTORATE REFFERENCE
APP/Y3805/A/09/2107383/NWF

DEAR SIR/MADAM

RE THE PROPOSED CAT BOARDINGROOMS
SINCE THE COUNCIL MEETING WHEN MR WESTLEYS APPLICATION FOR A CATTERY WAS REFUSED WE HAVE COMPLETED A DECKING AREA AT THE END OF OUR GARDEN AJACENT TO THE AREA WHERE THE CAT RUNS ARE TO BE ERRECTED AS WE ARE ARE DOWNWIND OF THE PREVAILING WIND. WE FEEL THIS IS NO LONGER A FACILITY THAT WE WILL BE ABLE TO MAKE REGULAR USE OF

YOURS FAITHFULLY

[redacted]

MR ALAN WALTERS

23 OVERHILL
SOUTHWICK
WEST SUSSEX
BN424WL

THE PLANNING INSPECTORATE
ROOM 3/21
TEMPLE QUAY HOUSE
2 THE SQUARE
TEMPLE QUAY
BRISTOL
BS1 6PN
PLANNING INSPECTORATE REFFERENCE
APP/Y3805/A/09/2107383/NWF

DEAR SIR/MADAM

RE THE PROPOSED CAT BOARDINGROOMS
SINCE THE COUNCIL MEETING WHEN MR WESTLEYS APPLICATION FOR A CATTERY WAS REFUSED WE HAVE COMPLETED A DECKING AREA AT THE END OF OUR GARDEN AJACENT TO THE AREA WHERE THE CAT RUNS ARE TO BE ERRECTED AS WE ARE ARE DOWNWIND OF THE PREVAILING WIND. WE FEEL THIS IS NO LONGER A FACILITY THAT WE WILL BE ABLE TO MAKE REGULAR USE OF

YOURS FAITHFULLY

[redacted]

MR ALAN WALTERS

The Planning Inspectorate
Room 3/21, Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

29th July 2009

Dear Sirs

Planning Inspectorate appeal reference: APP/Y3805/A/09/2107383/NWF

Mr & Mrs P Sinclair
5 Millcroft Gardens
Southwick, West Sussex BN42 4RW

With reference to the above, we strongly object to the appeal and can only re-iterate some of the feelings and objections that were put forward to Adur District Council.

We feel that the siting of a cattery in such close proximity to surrounding properties would cause great disruption to our lives. This is a very pleasant and quiet neighbourhood and we have a very nice garden which we like to enjoy as much as possible. However, with a cattery sited literally at the bottom of our garden, we are very concerned that the smell, especially in the warm weather or when the wind carries from the sea, and also the noise that will carry across, will cause an upset and disturbance. Foxes have also been seen in the neighbourhood, and we feel that the cattery would only attract more into the area.

We are also most concerned about access in the event of a fire due to the close proximity of other properties.

Yours faithfully

[redacted]

Please forward a copy of your decision.

Mr.Kelvin and Mrs Sandra Laxton
3, Millcroft Gardens,
Southwick
West Sussex
BN42 4RW

Planning Inspectorate appeal reference number
APP/Y3805/A/09/2107383

81, Downlands Avenue, Southwick, West Sussex

We are **against** the appeal proposal

We are against this application of a cattery for the same reasons as we've already stated to the LPA, but we want to re-iterate the following points.

- **NOISE & SMELL** We expect a reasonable degree of peaceful enjoyment of our garden. The VERY close proximity of 1 metre of the proposed cattery to our fence & garden, is NOT acceptable because, the noise & smell that will ensue from the cattery will disturb the enjoyment of our garden. Also the total length of 12 metres of the cattery, running along at 1metre adjacent to our property, is totally unacceptable.
- Particularly in the summer months, when we want to use our garden more, the nature of a cattery business; this is when it is at its busiest, *and* with the increase in summer heat will exacerbate the smell.

- **Please see Diagram 1** Distance [a] corner of our property no. 3 Millcroft Gardens to the nearest corner of the cattery, is twice as close than [b], the corner of property 81Downlands Avenue is to the cattery.

- **FIRE ACCESS** Another serious point of concern for us. Is the lack of direct access to the site for the Fire Service/Engines, after the owners garden they would have to negotiate a 7 metre x 1 metre passageway (which is alongside our south fence),before getting to the site, in total a considerable distance from the road.

- **Please see Diagram 2** shows the distance [approx] 50metres, which the Fire appliance would have to reach from the road to the cattery.
- A timber building used for a commercial business, right in the middle of a residential area. The siting of the cattery is in VERY close proximity (1 metre), to our EAST side fence, which at the North West corner adjoins our established Pergola, which is attached to our garage. In effect, if a fire should break out ours no 3 & no 5 are potentially only 1 metre from a fire.

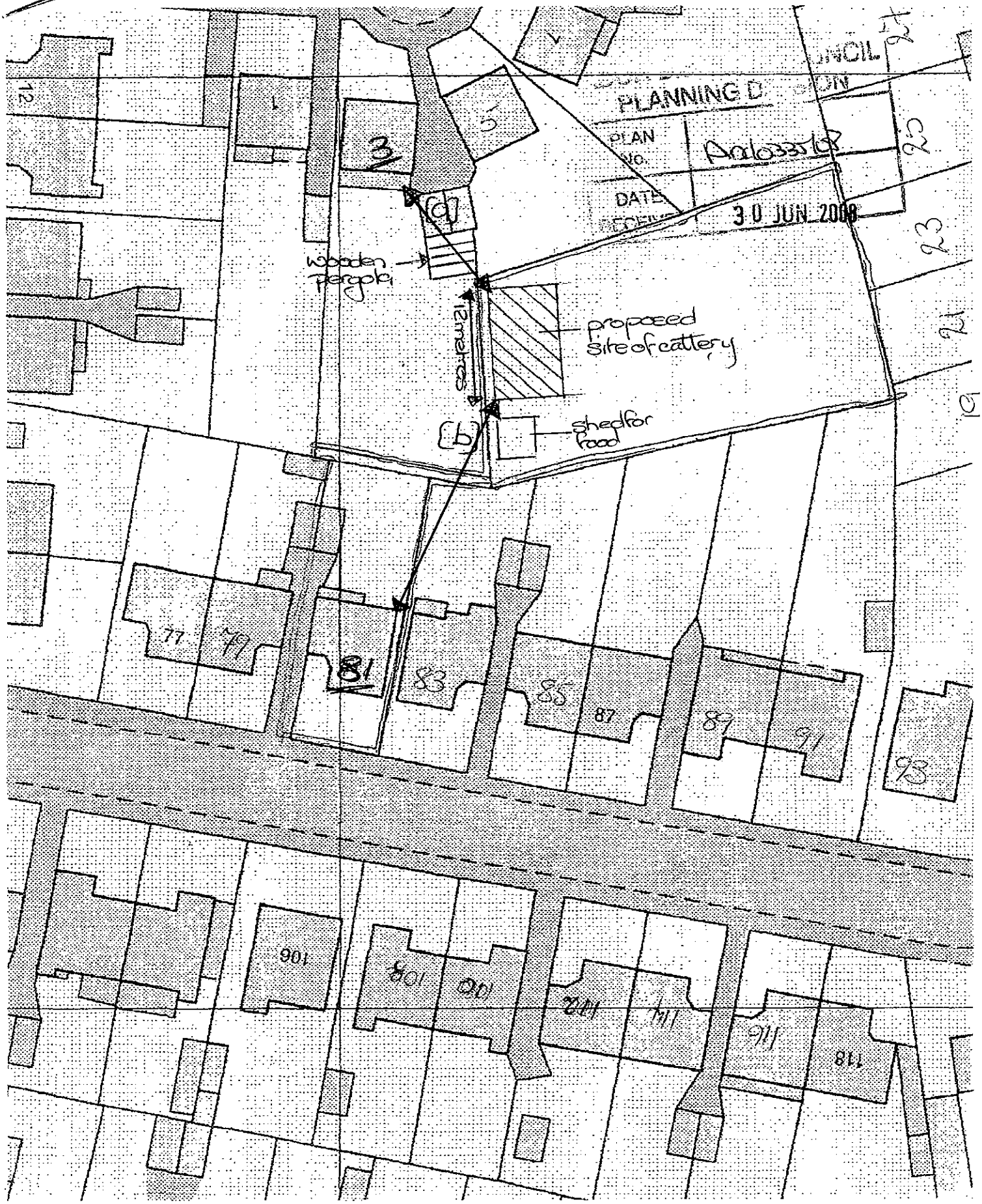
- **Timber framed cattery's** a cheap short term alternative that provides VERY little protection from disease. The Chartered Institute Environment of Health, advises against the use of timber because it requires regular, expensive & time consuming maintenance which may involve the use of toxic treatments.
  Timber infected with ringworm requires drastic action. It CANNOT be cleaned, the infected housing unit must be totally destroyed by burning. Some Local authorities have introduced a ban of use of exposed timber in any part of a boarding cattery. Ie; Councils North Warwickshire Borough in 2005 & St.Albans City & District council, a Veterinary surgeon who is the licensing officer for 5 local authorities stated in 2007, "My recommendation is that wood be avoided in the construction of boarding catteries, not only because of disease spreading between the cats, but also on Zoonotic grounds ~ diseases communicable to humans, eg, ringworm & E. Coli

- **Water Supply** Animals must have wholesome drinking water. There is at present, no independent water supply on site. The mains must be protected from backflow contamination, the supply of water through a plastic hose to a business site, contravenes water regulations.

- **Screening**, although at present there is a thick hedge of conifers next to our adjoining fence on west side of the land, there is no guarantee that they will remain. The owner has felled quite a few trees on this land recently, and by the nature of Leylandi trees they will NOT last forever.
  Without this screening, the whole length of our garden will be Overlooked by the cattery.

Please send us a copy of the decision

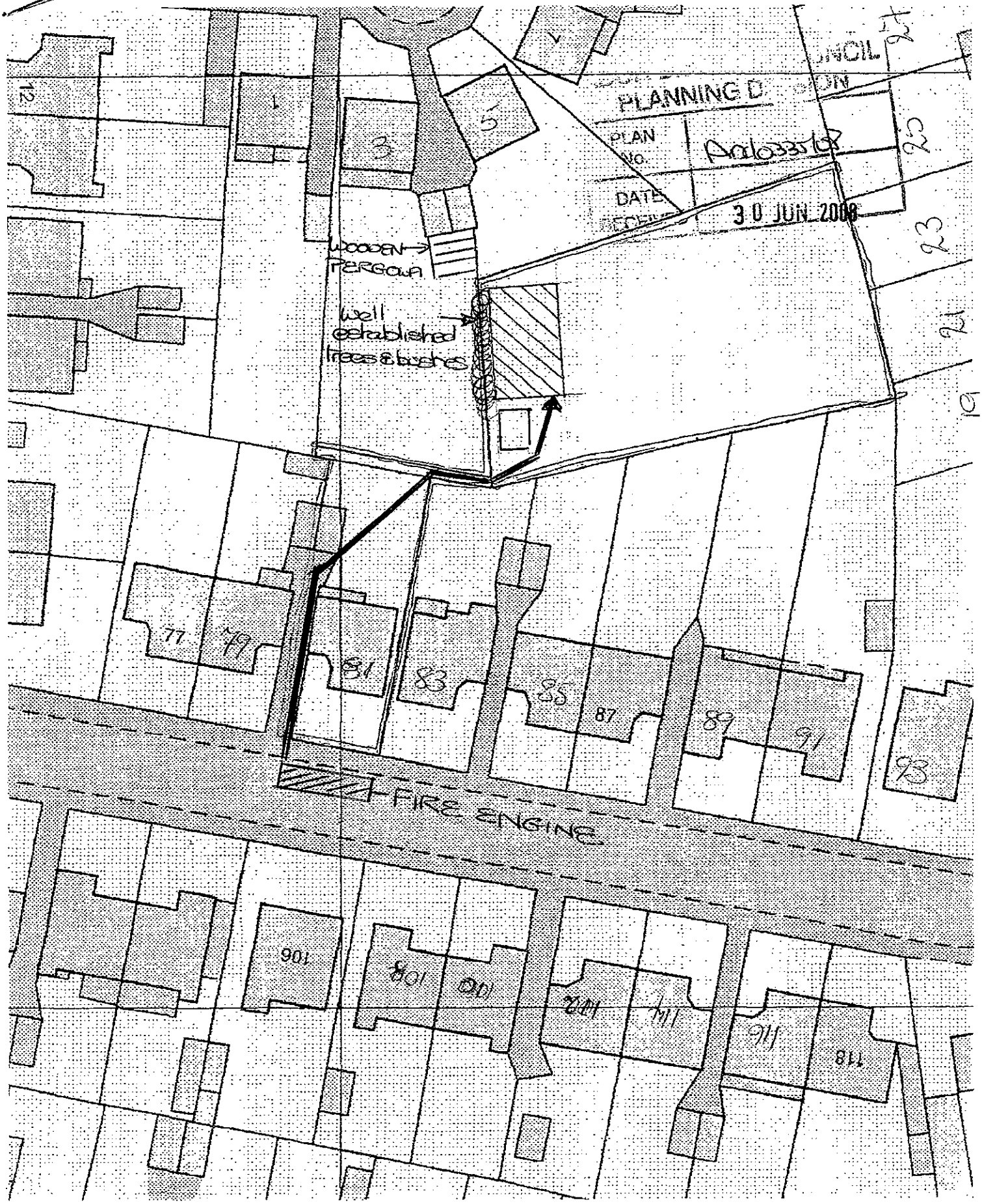
6.



81 Downland Avenue SOUTHWICK
Block Plan (1:500)

Diagram 1

6.



81 Downland Avenue Southwick
Block Plan (1:500)

Diagram II