

Location **64 Haslemere Avenue Barnet EN4 8EU**

Reference: **16/5099/FUL** Received: 1st August 2016
Accepted: 19th August 2016
Ward: Brunswick Park Expiry 14th October 2016

Applicant: Chris And Gloria Collard

Proposal: Erection of a detached outbuilding in rear garden to be used as a cat hotel
(Sui generis)

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan (amended); Block Plan; Amended Proposed plans: front elevation, floor plans, rear elevation, left-side elevation, right-side elevation; Noise Management Plan; Construction Method Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 The use of the outbuilding hereby approved as a "cat hotel" shall be carried out only by Chris and Gloria Collard and shall be for a limited period only expiring on 31st March 2019, or when the premises cease to be occupied by Chris and Gloria Collard, whichever is the sooner, when the use shall be discontinued.

Reason: Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and to enable the impact of the proposed use on the amenities of neighbouring residents to be maintained.

- 3 The use hereby permitted shall not be open to members of the public before 09:00 or after 17:30 on weekdays and Saturdays or any time on Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 4 The number of cats allowed at the cat hotel at any one time must be limited to 14 only.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 5 The proposed development hereby approved must be managed in accordance with the details included in the Noise Management Plan.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site is located on the northern side of Haslemere Avenue in the Brunswick Park ward. The site is situated at the Gallants Farm Road end at the start of the bend in the road. The road is characterised by a mix of semi-detached two-storey dwellings and bungalows.

The application site has a wedge shaped plot to accommodate the bend and consists of a semi-detached bungalow. The rear garden measures approximately 19.5m depth and the levels fall away to the rear of the site. The rear of the site is enclosed by timber fencing and dense vegetation.

The rear garden of the application property backs on to the rear gardens of properties 69 and 71 Derwent Avenue; these gardens measure approximately 13.5m in depth.

The site is not located within a Conservation Area and has no individual designation.

2. Site History

Nil.

3. Proposal

This application seeks consent for the erection of a detached uPVC outbuilding in rear garden to be used as a cat hotel (Sui generis).

Since the application was first submitted the scheme has been amended and the proposed outbuilding has been relocated to a more central location within the application site, maintaining a distance of over 1m from the rear and side boundaries with 62 Haslemere Avenue and 69 and 71 Derwent Avenue, in the rear garden of the application property.

No trees would be removed as part of the scheme.

The outbuilding would measure 10.9m in length, 4.3m in width with a proposed height of 2.48m at the front, reducing to 2.18m at the rear with the provision of mono-pitch roof, all constructed from uPVC. The front elevation of the exterior of the outbuilding would have a timber trellis / pergola design.

The interior of the outbuilding would comprise of 2 smaller "rooms" with separate bedrooms and play area measuring 1.24m in width and 2.72m in length, and 5 larger

rooms also with separate bedrooms and play areas, measuring 1.58m in width and 2.72m in length. In front of the individual rooms a 1m interior corridor would be provided for the full length of the outbuilding.

The maximum number of cats the hotel would expect to have is 14 in total.

Opening hours would be from 9am - 5.30pm Monday to Saturday, with the hotel being closed on Sundays and Bank Holidays.

4. Public Consultation

Consultation letters were sent to 44 neighbouring properties.

18 responses have been received comprising of 17 objections and 1 comment

1 person has requested to speak at Committee

The views of objectors can be summarised as follows;

- Loss of privacy
- Increased traffic generation
- Noise pollution
- Unsociable hours of operation
- Impact on existing fox problem
- Hygiene - removal of litter
- Impact on drains
- Smells from cats
- Waste: health impacts of additional rubbish
- Hazardous materials used for cleaning potential fire hazard
- Letters of support solicited prior to application being submitted
- Letters of support from outside of area
- Proposals out of character
- Other Longcroft sites are not in quiet residential neighbourhoods
- Restrictive covenant on property prevents carry out of business activities
- Loss of trees increases noise disturbance
- Other sites given time limited consent of two years
- Commercial operation wholly inappropriate

Upon receipt of amended plans the neighbours have been reconsulted, however, it should be noted that at the time of writing this report re-consultation period had not expired therefore any further representations received from neighbours shall be included in the addendum to the report.

Information provided in support of the application

"Longcroft is a small business established in June 2010 who after struggling to find a clean and spacious cattery for her own cat and shocked about the poor standards of care and hygiene and the high number of cats boarded decided to partner with her mother and opened the first luxury cat hotel in the UK. The vision was to change the cattery industry from the stereotypical mass model by offering more space to less cats in a home from home yet hygienic environment with a far greater level of care and expertise in animal welfare. Longcroft has been recognised locally and nationally as an innovative and forward thinking small business and has recently been commended nationally by being awarded the Guardian Small Business Award for its consistently high standards across all of its locations in the UK.

Longcroft hotels strictly adhere to the CIEH model licensing conditions with animal welfare at the forefront of every decision we make. Our specification exceeds the Chartered Institute of Health guidelines for size, construction, process and design. Every Longcroft hotel has been granted a license on inspection by each individual local authority and continued to have it's licensed renewed at the annual inspection with an incredibly high standard always noted.

Longcroft offers a small number of spacious thermostatically controlled bedrooms leading to a safely enclosed and spacious private play area where cats can enjoy the lovely views of the garden; our hotels are constructed of of PVCu which is impervious to germs and very easily cleaned.

The hotel would accommodate the 1 - 2 customers per day and as Longcroft operates strictly within licensed hours, usually 9 - 5 Monday to Saturday, and strictly by appointment only, the business operates with minimum if any disruption at all to other neighbouring residents.

The hotel is designed in such a way that the cats are kept in private and secure spacious double sleeping areas with separate exercise areas accessed exclusively via a lockable cat flap sited within an insulated door allowing plenty of room to both sleep and play. The exercise area comprises a further one metre safety corridor which is lockable from both the inside and outside of the building meaning even in the event a cat should escape from his / her exercise area he will simply enter the secure 1m safety corridor and be placed back in his / her room immediately. Rooms are large enough for between 1 or 2 cats to share but only if from the same family. Cats that do not live together would never be placed in the same room as this could cause fights and unwanted noise and this is not something Longcroft would ever support.

The daily cleaning regime does not require or support sluicing of any kind, therefore waste water is never created. To be specific we use a pet friendly non-toxic veterinary grade disinfectant with no odour, never Jeyes Fluid, on a daily basis, in a small spray bottle, this veterinary devised regime results in the cat hotel being immaculately clean and bacteria and odour free at all times.

No additional staff is proposed to serve the hotel as part of the application."

Environmental Health: following the introduction of acoustic vents and confirmation that the windows will be closed for the majority of the time the information is considered to be acceptable.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2016)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS15.
- Relevant Development Management Policies: DM01, DM02, DM04, DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

Sustainable Design and Construction SPD (adopted April 2013)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing bungalow, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

This application seeks consent for the erection of a single-storey, mono-pitched uPVC outbuilding within 2m of the rear and side boundaries at the rear garden of the application property. Under usual circumstances the erection of an outbuilding of the proposed dimensions would be considered a permitted development as long as the use of the outbuilding was ancillary to the main single family dwelling house. However, in this case it is proposed to use the outbuilding as a cat hotel (Sui generis) part of the Longcroft Cat Hotel chain.

The size and siting of the proposed outbuilding would be of similar design and proportions to outbuildings in other gardens and therefore would not appear out of character or visually obtrusive within its setting.

It is considered that as amended, the proposed outbuilding would be sited centrally within the rear of the garden of the application property, which itself backs on to the rear of

gardens along Derwent Avenue, the separation distance of approximately 14.5m between the proposed outbuilding and neighbouring properties on Derwent Avenue would be sufficient to ensure that there will be no loss of residential amenity neighbouring occupiers in terms of harmful loss of light, overlooking or privacy. The overall design and appearance of the outbuilding is considered to be acceptable for its location in the rear garden and the trellis addition to the front, facing the house is considered to improve its appearance.

In terms of noise and smell issues arising from the cat hotel itself, the Environmental Health team have not raised objection and consider that the detached, double glazed outbuilding with sealed units internally and acoustic ventilation system in the form of trickle ventilation, provided would provide reasonable sound attenuation to protect neighbours from unnecessary disturbance, as well as ensuring that the cats receive the necessary acceptable levels of fresh air.

To further ensure no loss of amenity to neighbouring occupiers, and in line with the suggested hours of opening, a condition is suggested restricting the hours to between 09:00 and 17:30 Monday to Friday and at no time on Sundays and Bank Holidays.

Acceptable additional details have been submitted explaining how the outbuilding would be constructed; the existing driveway and direct access to the rear garden would be utilised minimising any potential loss of amenity to neighbouring occupiers. The driveway would also act as drop off point for deliveries which will be restricted to the same hours as the suggested opening hours, detailed above.

A condition restricting the number of cats allowed to stay at the cat hotel to 14 is also suggested to continue the protection to neighbouring occupiers. Although it should be noted that the supporting information submitted with the application notes that in all the other Longcroft Cat Hotel sites no hotel has ever been filled to maximum occupancy. This is because it is only possible to place cats from the same family into shared rooms, there would never be a circumstance where cats from different families are placed together in the rooms, as this would be detrimental to the health and happiness of the cats.

Given the concerns raised by neighbouring occupiers a temporary permission of two years is recommended to enable a review of the proposed development and whether the proposals have resulted in any loss of amenity to neighbouring occupiers

In regards to traffic and parking, the submitted documents state that there would only be approximately one visit a day and by appointment only, stopping for only a short time to deliver or collect the cats. It is not considered that the development would generate a significant increase in additional vehicle movements into the area that would have the potential to be detrimental to the free flow of traffic or highway safety.

It is therefore considered that given the small scale nature of the proposed cat hotel, the size, design and external appearance of the proposed outbuilding would not have an adverse impact on the host application dwelling, street scene or residential amenity of neighbouring occupiers.

5.4 Response to Public Consultation

The concerns raised by neighbouring occupiers are noted.

The design and appearance of the proposed outbuilding is not considered to appear out of character and is of a similar appearance and footprint to what would be considered

acceptable under permitted development if the proposed use was ancillary to the main single family dwelling.

Due to the siting of the proposed detached outbuilding at the rear part of the rear garden of the application property, which backs on the rear of gardens on Derwent Avenue it is not considered that the proposals would give rise to any loss of privacy, noise pollution, impact upon the existing fox problem or have any other detrimental impacts on neighbours in terms of hygiene. The Environmental Health officer has reviewed the submitted information and has raised no objection to the proposals.

Given the proposed hours of operation, and the fact that only one customer would be visiting the site at a time strictly by appointment only, it is not considered that the proposed development would result in increased traffic generation.

It is not considered that the proposals would result in unsociable hours of operation; the submitted documents request the opening hours to be between 9.30am and 5.30pm Monday to Saturday and at no time on Sundays or Bank Holidays. A condition restricting the development to these times is suggested.

The concerns raised regarding the potential impact on drains, health impacts of additional rubbish or potential hazardous materials used for cleaning potential fire hazard have been assessed by our Environmental Health department and no objections have been raised.

It is noted that concerns have been raised in regard to a restrictive covenant on property prevents carry out of business activities, however, this is not considered to be a material planning consideration.

The concerns raised that the loss of trees will result in increased noise disturbance: No loss of trees would occur as a result of this proposal the applicant has amended the plans to resite the outbuilding further away away from the trees at rear. It should be noted however, the trees at rear are not protected and the council has no control over their removal.

Whilst the supporting information submitted with the application, including reference to different sites and letters of support, are noted, this application is considered on its own individual merits and site circumstances.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval for two years only.

