

**RETROSPECTIVE CHANGE OF USE FROM RESIDENTIAL PROPERTY TO
MIXED USE AS A RESIDENTIAL DWELLING AND DOG BREEDING BUSINESS AT
COURT LODGE
BREACH LANE
UPCHURCH
ME9 7PH**

ACCESS AND DESIGN STATEMENT

NOV 21.

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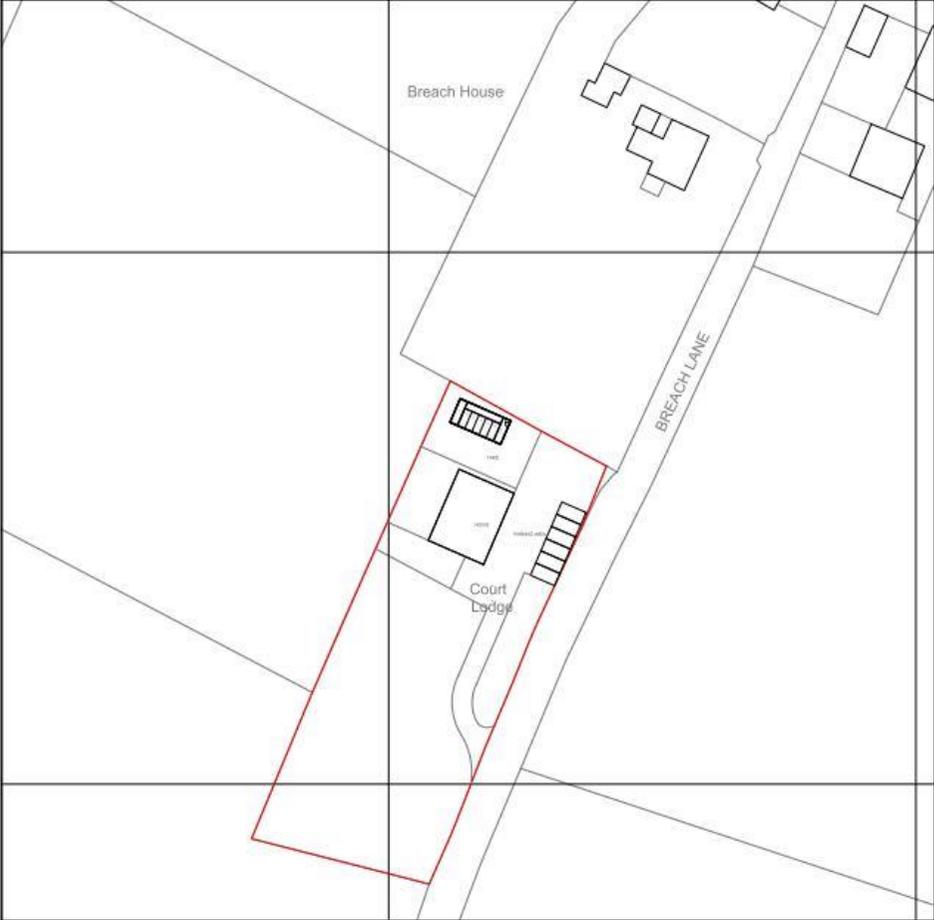
EXISTING SITE.



The site is accessed directly off of Breach Lane

There is an existing detached Bungalow with large Garden and parking with a turning area together with an external Kennel area, which is fenced and screened.

LOCATION PLAN



PLANNING HISTORY

Erection of a single storey rear extension.

Ref. No: 20/501045/FULL | Status: Approved

APPROVAL OF RESERVED MATTERS SW/78/1283 FOR AGRICULTURAL DWELLING

Ref. No: SW/80/0557 | Status: Refused

ERECTION OF AN AGRICULTURAL DWELLING OUTLINE

Ref. No: SW/78/1283 | Status: APP90

Lawful Development Certificate for occupation property without complying with the terms of condition VI (agricultural occupancy) appended to planning permission SW/78/1283 (existing).

Ref. No: SW/12/0413 | Status: CERTIS

PRE APPLICATION

Ref 21/503974

Planning officer – **Rebecca Corrigan**.

Meeting on site was held on the 7th October 2021 to discuss the principle of the existing change of use and its current impact.

The principle for the existing change of use was considered acceptable.

PHOTOS



INTERNAL PHOTOS OF BREEDING AREA



THE EXISTING DOG BREEDING BUSINESS

The existing dog breeding business started as a hobby and is now a well established and is operated from home on a very professionally level. This application is for a part change of use to operate the breeding whilst also maintaining the residential use as well.

The existing Bungalow is a residential home and had a rear single storey extension under reference 21/503974 approved and constructed. As the hobby of dog breeding grew the extension created was converted into a high quality dog pen area for the care of the dogs.

There is also an external kennel area finished in timber cladding together with a purpose built yard area, which is fenced in and allow a generous area for the dogs to exercise. The building also has an internal Kitchen area for the preparation of food and cleaning for the dogs to a high quality of finish.

The business has a certificate for the breeding of 15No dogs which is not to be increased and the facilities provided allow for this number to be spread between the external kennel and the internal pens, which is a low number considering the amount of available space.

The external kennels are constructed within permitted development standards in terms of height and are timber framed and cladded, so it fits into the rural surroundings. The kennels have metal railings to the doors and offers separation, so the dogs are all not in one area. The external area is laid to sealed resin finish , which is easily cleaned and robust and the surrounding boundaries are timber with hedge and tree planting.

The yard area is enclosed by a 1.5m close boarded timber fence.

The visitors to the site are by appointment only and there are no external advertisement signs as the security of the site is an important consideration to protect the dogs.

The main entrance has security gates and enough space to pull off of the road before the gates are opened. There is ample parking area laid to tarmac for up to six cars with tuning facilities, but visitors are restricted to collections only so the visitor numbers are single figures per week.



The owner / applicant's own description is below-

I started the business as a hobby and now I'm fortunate enough that I don't have to advertise as all of my customers contact me via email and I discuss with them whether I think they are suitable or not. If I approve them there is a £200 pre reserve fee taken and then they are added to my waiting list for a new puppy.

When I have available puppies, I contact them, and they let me know if the timings work for them and choose to be put forward for the litter or pass. Once put forward I arrange a date for them to come out to visit mum and babies when they are 4 weeks old. This is a half an hour visit and only 2 persons allowed to visit at any one time.

They pay their remaining deposit and then choose their own puppy pack and I talk through what they should expect in terms of experience and advice in dog rearing.

In a litter an average of four puppies are produced which means in terms of visitors there would be a maximize of eight people of which only two are allowed at any one time.

I only allow half an hour a day and never do more than one family in a single day so would spread this over a four-day period. For example, Monday 10am, Tuesday 10am, Wednesday 10am and Thursday 10am. They would only then come back for collection and a 15-minute time slot is allocated and again never in the same day as they are scattered over a four-day period.

From when puppies are born to collection the period of time is eight weeks, which means four families visit in one month as the collection would be in the second month, so the traffic movements are very minimal and no passing trade or visitors are allowed.

I am licensed to have 15No litters a year although it's very rare that I will have this many as it's generally around 12No litters so in a yearly period I would have 48No visits and 48No collections.

I don't have deliveries to do with the business as I purchase all my own dog food and accessories etc with our own transport, but there is adequate means to accept deliveries if required.

It's not a busy business and is just more of a passion for the love of my dogs that I have been fortunate enough to make it a success with an excellent reputation.

STATEMENT / HERITAGE

The application site consists of a detached residential bungalow located outside of the village envelope and is designated as open space.

The existing dwelling is considered modest in nature and the exterior consists of a rendered finish with grey modern roof tiles together with UPVC windows, doors and roof lanterns.

The surrounding area is open and rural in character with the nearest dwelling located approximately 70m to the north of the site, which is called Beach House. There are also dwellings sporadically placed along Breach Lane, but the area is predominately open and agricultural fields.

The closest property is Breach House, which is grade II listed under ID 1760201.

Breach House Description-

House. Early C19. Painted brick and slate roof. Two storeys, with angle pilasters, projecting central window bay, string course and hipped roof with stacks to left and right. Three sash windows on first floor, 2 round headed windows on ground floor and central half glazed door with semi-circular fanlight.

The listed building is over 50m away from any outbuildings on the applicants site and is heavily screened by the existing tree boundary and will not be affected by the existing business in terms of visual impact or the operation of the day to day running, due to the small number of dogs and possible car movements.

There would and is no impact on the existing listed building and the area is not within a conservation area.

VISUAL AMENITY

The existing Yard area for the dogs cannot be seen from the road or the surrounding countryside as there is a 6ft timber fencing to the boundary with a line of existing trees and hedgerows, which is noted on the site plan. There is also a 6ft hedge which is on the West side, which protects the Yard and bungalow from the agricultural land and no buildings can be seen from this location.

The height of the kennel building is 3m to the ridge and 2.1m to the eaves so it can be considered as small scale and would meet the normal requirements for outbuildings under permitted development rights. The building is situated over a meter away from the boundary to allow for adequate maintenance and planting to the boundary.

Breach House is the closest dwelling and also has extremely large trees, which neighbour the boundary fence so that the application site is not visible from the house at all.

RESIDENTIAL AMENITY-

The applicant has a strict noise management plan in place, which has been successful for the past 2 years in respect that there have been no noise complaints regarding the business since it started.

The dogs have access via a sliding hatch to the entrance of their sleeping area, which is locked between the hours of 8pm and 7am each day and they are used to this strict practice. During this time the dogs have no access to the outside area and no noise can be heard from the dogs outside of the kennel block as they have been constructed to a very high standard and consist of UPVC doors and windows, insulation and sound proof membranes.

Between the hours of 7am and 8pm the dogs have access to their own Garden yard, which is fully enclosed with 6ft fencing to avoid them being able to bark at unbeknown situations caused by visitors. All the dogs are familiar with each other and therefore get on very well and the only noise that they would make would be when they are playing.

The dog area is 16m x 8m which is a very large area for 10No small dogs enabling them to exercise and play without the need to bark for attention.

There are five kennel sleeping areas with attached sheltered runs, which the dogs would have access to in the event of unfortunate weather otherwise on dry days they have access to the whole outside area as described. Although the kennels and outside dog area are designed for 10No dogs its very rare that all the dogs are in that area as generally when a dog is confirmed in whelp they are reared indoors and are let out for toileting, exercise and playtime in a separate area.

The kennel block outside 'runs' are equipped with dog barking sound systems which let off a high pitch alert when dogs are barking, which only dogs can hear which ensures they never bark for periods of longer than 5 minutes. Also due to the size and nature of the breed they are not renowned to bark or make a lot of noise.

There are CCTV systems installed in both dog gardens to be able to see and hear the dogs so that should a complaint be made we can submit evidence on their behalf to prove the noise was not a nuisance and not persistent.

The Bungalow Bedroom faces the Kennel block and dog garden area and the dogs cannot be heard during unsociable times of day.

ODOUR MANAGEMENT-

Dog waste is collected every Tuesday by Countrystyle in which this service is paid for privately. All dog areas are disinfected twice daily, and waste stored appropriately to adhere to environmental health guidelines as agreed to as part of the dog breeding license with Swale Council.

SECURITY MANAGEMENT-

The complete perimeter of the application site has 6ft timber fencing with a gated entrance and intercom system with CCTV covering all areas. Both dog areas are also secured with fencing and gates so that the dogs cannot escape into different areas.

The application site is always occupied and the maximum time the dogs are ever left on their own is up to an hour at a time. In the event of the applicant needing to be offsite for longer periods they would arrange for somebody to dog sit.

TRAFFIC MANAGEMENT-

The property consists of a gated driveway, which is set back from Breach Lane by approximately 5m, which is enough room for a cars to be parked without obstructing the road. Inside the site there is a large driveway leading to a parking area with bays for a minimum of six cars so that any visitors would not be able to be seen from the road or cause congestion along the lane.

The business does not have more than one visitor a day and when viewings and collections take place they are arranged on alternate days and equate to approximately one visitor per week.

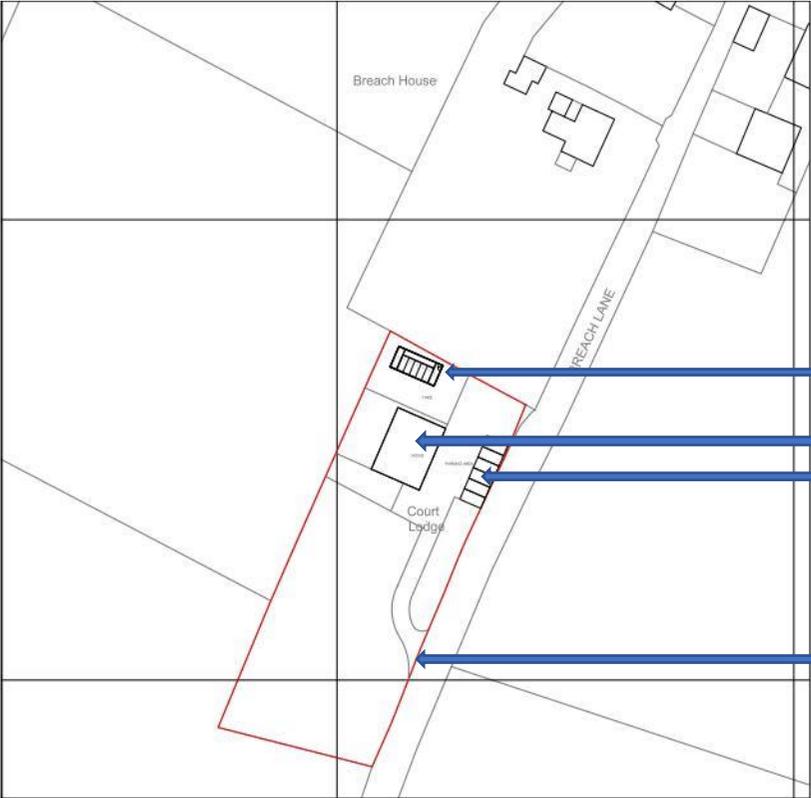
The Bungalow is the first property on Breach Lane located close to the main A2 road where visitors would be entering from and they do not pass any other dwellings to be able to be seen or heard or cause a nuisance/disturbance.

APPLICANT STATEMENT-

Our hobby of dog breeding has been in existence at the application site for more than two years and no additional outbuildings need to be erected in conjunction of this application as there is no ambition to increase the size of the business. We believe the property to be our family home where we have enjoyed living for over two years and feel we have adhered to the natural beauty of the countryside and are not disrupting the area in anyway.

Site Layout.

The red line is the defined boundary line



The building shown is the outbuilding kennel erected under permitted development with an enclosed yard area.

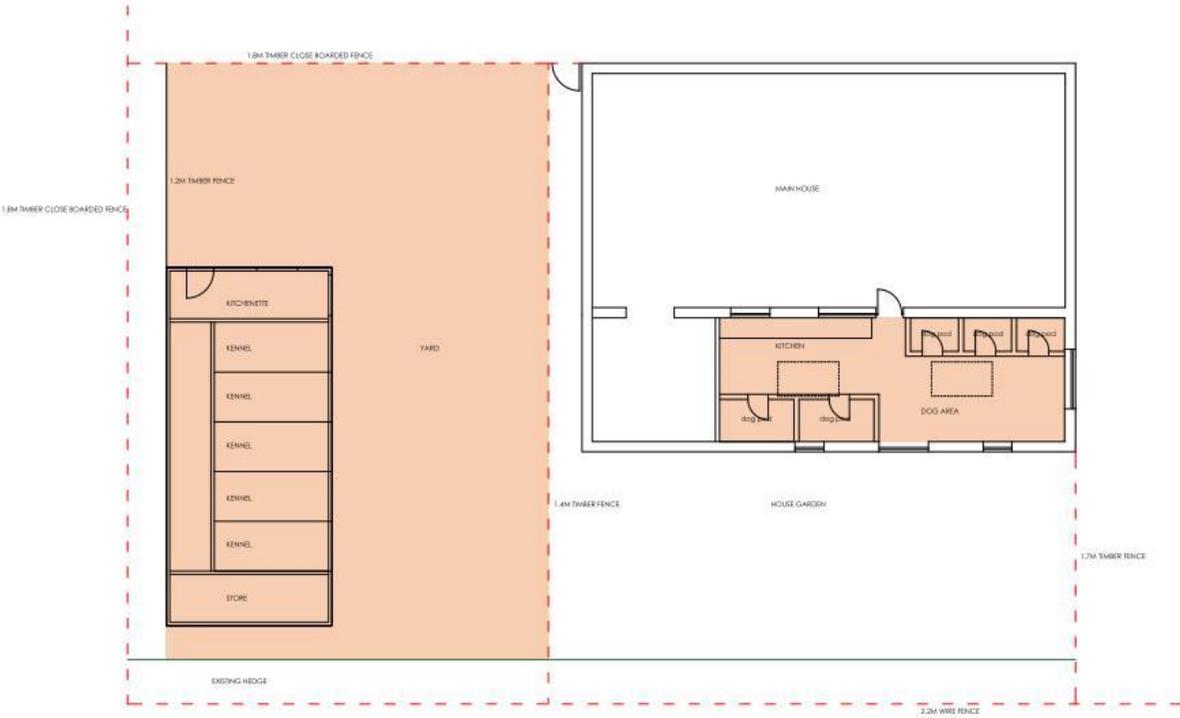
**The existing Bungalow
Parking area**

Access

Plan

The plan below shows the main living area with the internal dog breeding area at the rear shown in the hatched area.

The external Kennel and yard area are also shown in the hatched area.



EXISTING SITE PLAN.

SCALE.

Area hatched above indicating the area of the business-
Externally – 200m²
Internally – 37m².

LANDSCAPE.

The existing planting to the surrounding site boundaries is dense and evergreen, which creates a feature and hides the small outbuilding from any surrounding views.

PARKING / ACCESS.

Access will be from Breach Lane and there is parking and turning area for up to six cars.

The parking standards can be met for this site to allow compliance with Policy. The level of parking for this site would be dependent on advice from the Highways and the Planners.

Emergency services can access the site.

The access is sufficient width for fire appliance use.

Conclusion

The proposal for the established business to be considered acceptable as a mixed charge of use due to it being established for over two years and operating under a strict license with no complaints or issues having arisen during that time. The business is relatively small in scale and fits well with the residential use due to the constant care that is required as well as the ongoing security.

As demonstrated through this report, the proposal is sited within a sustainable location as it is not surrounded or affecting any other residential properties and has excellent access onto the main A2, which is within a short travel distance. The nature of the business means there are very few visitors and the site provides more than adequate access and parking facilities.

On this basis, it is considered that planning permission should be granted, subject to appropriate conditions