

North Yorkshire Council

Community Development Services

Thirsk and Malton Area Constituency Committee

15 AUGUST 2024

ZE23/00437/FUL -CHANGE OF USE OF FORMER AGRICULTURAL BUILDING FOR USE AS A (SMALL BREEDS) DOG BREEDING KENNEL AND DOMESTIC STORAGE TOGETHER WITH AN EXTENSION TO THE BUILDING TO PROVIDE TOILETS AND EXTERNAL ALTERATIONS INCLUDING THE INSTALLATION OF INSULATED ACOUSTIC SHEETING TO THE EXTERIOR OF THE BUILDING (PART RETROSPECTIVE) AND THE CHANGE OF USE OF AGRICULTURAL LAND TO DOG EXERCISE AREA.

Report of the Assistant Director Planning – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a planning application for the above on land at Cornborough Road, Sheriff Hutton.
- 1.2 The application accompanies another application (planning application ref 22/00102/FUL) in the same location which raises a range of planning issues. It is considered that both applications should be considered by the Committee in view of the cumulative issues raised.

2.0 EXECUTIVE SUMMARY

- 2.1 RECOMMENDATION: Subject to planning application ref 22/00102/FUL being approved, planning permission be granted, subject to the conditions listed below.
- 2.2 The proposal is for a mixed use of an existing building, to operate in conjunction with the proposed use of the wider site for Gypsy and Traveller pitch provision. In principle, the acceptability of the proposed mixed use, which includes domestic storage, is contingent on application 22/00102/FUL, (the preceding item on this agenda being approved). In the event that the use of the wider site as a Gypsy and Traveller site is found to be acceptable, the proposed domestic storage use of part of the building would help to ensure that domestic paraphernalia is securely stored out of sight. Planning permission has been granted historically for the use of the building as a dog breeding kennels and associated land as a dog exercise area. As such, the planning history has established that this is, in principle, a suitable use for the building and that conditions can be imposed to mitigate the potential impacts resulting from this use.

Location Plan - Land at Cornborough Road, Sheriff Hutton



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0m 20m 50m 75m 100m 125m 150m 175m 200m

Scale: 1:2500, paper size: A4

Sykes - 71239

Location Plan



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Prepared by: Trevor Vennell, 12-01-2022

3.0 Preliminary Matters

3.1. Access to the case file on Public Access can be found here:

<https://planningregister.ryedale.gov.uk/caonline-applications/simpleSearchResults.do?action=firstPage>

3.2 The application was originally submitted as a retrospective application to regularise changes to appearance of the existing building following planning enforcement investigations and, to seek permission for an extension to the building to provide toilet facilities. To address uncertainty over whether a permission for the use of the building as a dog kennel had been implemented historically, the description of the development proposed has been amended. The application area has also been amended to include an area of land for use as a dog exercise area and to include domestic storage as part of a mixed use of the building. These are material changes to the application as originally submitted and as such the changes to the application have been subject to consultation.

3.3 Relevant planning history:

13/00863/FUL: Erection of an agricultural building for the storage of produce and housing of livestock. (Approved)

13/01461/FUL: Siting of two bedroom timber cabin for use as a temporary rural workers dwelling to include formation of access track and hardstanding, and provision of a domestic curtilage (retrospective application). (Refused. A s.78 appeal was dismissed and a planning enforcement appeal determined).

15/00601/FUL: Retention of timber cabin for use as an office, staff facilities, storage area and incubator area. (LPA declined to determine).

19/00603/FUL: Change of use of agricultural land and building for commercial dog breeding and kennels with alterations to include formation of up to 10no.kennels within the existing building. (Approved).

22/00102/FUL: Change of use of land to a gypsy/traveller site with 4no family pitches each with 1no static caravan, 1no touring caravan pitch and parking spaces, erection 1no. amenity building and installation of 1no bio-disc treatment plant with associated parking and landscaping. (Pending consideration at the time this report is drafted. The application is prior to this item on the agenda).

4.0 Site and Surroundings

4.1 The site is located in open countryside approximately 700m to the west of Sheriff Hutton.

4.2 The site covers approximately 0.6 ha. It comprises the building set in an area of gravelled 'hardstanding', a gravel access track and an area of grassland/ field to the west. A family of travellers currently occupy the site and there are currently 7 caravans present within the application area together with some children's play equipment and two small outdoor single dog kennels.

4.3 The building is an existing steel portal frame which is set on a concrete base and low brick faced, block masonry wall. Externally the walls are comprised of green acoustic sheet cladding and the roof is metal sheeting. A large metal roller shutter door and single entrance door are located in the western elevation. The building is

approximately 18.4m in length and 6.2m in width. From the lowest ground level it measures approximately 6.6m to ridge height. The land on which the building is situated gently falls away in a north to south direction resulting in a change of level over the length of the building of approximately 1m north to south. At the northern end of the building the eaves height is 4.1 m above ground level and the ridge height 5.4 m above ground level.

- 4.4 The building is sited in the same position as a building which was granted planning permission for agricultural use in 2013. In 2020, permission was granted for the use of the building, together with alterations, for commercial dog breeding and kennels.

5.0 Description of Proposal

- 5.1 The application seeks permission for the use of the existing building as a dog breeding kennels, together with some domestic storage space which is proposed to be incidental to the proposed use of the wider site for Gypsy and Traveller accommodation (to which application reference 22/00102/FUL) relates.
- 5.2 The proposed internal layout of the building includes 6 kennels and approximately 27 square metres of storage floor space. The application also proposes a small extension to the southern gable of the building to provide site toilet facilities. The proposed extension measures 4m in length, 3.8 m in depth and 3m in height (to the ridge).
- 5.3 The application includes a large area for the exercising of dogs, which forms part of an existing field to the west of the building and to the south of the site access. The access road and land around the building are surfaced with gravel which, together with external changes to the appearance of the building, are retrospective elements of the application.
- 5.4 The supporting Design and Access Statement confirms that it is the applicant's intention to breed small pedigree dog breeds, recognised by the kennel club and suitable for rehoming. A maximum of six adult dogs are proposed to be present on site at any one time. It is understood that it is the applicant's intention that this would, be operated as a commercial operation (as opposed to occasional breeding associated with domestic activity.)
- 5.5 The application was originally made to regularise external changes to the building and the provision of the gravel hardstanding, together with the proposed toilet extension. The description of the development proposed was expanded to cover the change of use of the building to a dog breeding kennels when it became apparent that the earlier permission for that use had not been implemented and had lapsed by a limited number of months. The revised description also included the use of part of the building for domestic storage. The intention is that this use would be incidental to the use of the wider site if application (ref: 22/00102/FUL) is approved.

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:
The Ryedale Plan (Local Plan Strategy)

Guidance - Material Considerations

6.3. Relevant guidance for this application is:

- National Planning Policy Framework 2023
- National Planning Practice Guidance

7.0 Consultation Responses

7.1. The following consultation responses have been received and have been summarised below. Full comments area available to view on the Council's web-site.

Parish Council

7.2. Object

- Not a retrospective application. The previous kennel permission has expired and it does not adhere to that permission. The site is not used for dog breeding. Dogs are kept in kennels outside
- Application states no parking but a large number of vehicles could be parked
- Uncertainty over how surface water is drained. The stoned area is increasing run off to the fields below
- When the kennels were given permission it was on the proviso that there should be no residential use
- No details given for times of use including use of the dog walking area
- No details of how the dogs will be contained
- The site is clearly visible from the public footpath
- Roller door has no soundproofing and cannot be sound proofed
- Concern about lack of light and the conditions in which dogs will be kept
- Question why four toilets are needed
- The site should not have a domestic use
- Thousands of dogs are in need of rehoming since the first application. There is no requirement to breed more dogs
- Constant noise issues with dogs barking at the site. NYC has been made aware and no action has been taken
- Is an effort to legitimise the illegal use of the site for domestic storage

Environmental Health

7.3. Recommend conditions (Noise and Lighting) and an informative (Animal licencing)

Highways

7.4 Recommend a condition (to secure turning and manoeuvring).

Local Representations

7.5 Letters of objection have been received following consultation and re-consultation on changes to the site area and an amended description. A summary of the comments is provided below, however, please see the website for full comments.

- No details of security fencing
- Position of use adjacent to a public right of way is inappropriate

- In Nov 2023 there were 12 caravans at the site without permission
- The Council should take steps to address the residential use of the site
- Is a change of use from agriculture to a business that is not in keeping with the locality
- Progressive gradualism for the creation of a mini industrial estate
- RDC and NYC have failed to look into and take notice of noise complaints regarding the site
- Currently dogs bark for hours on end and noise associated with the unauthorised domestic use of the site is causing daily problems
- We cannot use our outdoor space because of noise and plans to diversify our business have been put on hold
- There should be no domestic use of the site
- The noise assessment is invalid
- I welcomed the idea of a pet breeding business at the site but the current owners have no intention of developing it for business purposes
- Object to the installation of flood lights and impact in terms of light pollution, neighbours and the character of the countryside
- Permission for a change of use has not been granted
- Should be viewed as a retrospective application
- Demonstrates a disregard for proper procedure
- The D&A details a requirement for the family to live on site to manage the business. The original permission was conditional on no-one living on site.
- Severe landscape impact and impact on Castle ruins
- Pressure on local infrastructure and services
- The already unauthorised development at the site has had an impact on the local environment
- Vehemently object to the application and amendments
- The applicants continue to develop the site without planning permission
- Contraventions at the site were not permitted in the past so what has changed ?
- Increased run off into the fields
- Dog breeding business is unnecessary and inappropriate
- Neighbours already suffer a loss of amenity with dog barking
- Does not respect rural norm or the amenity of neighbours
- Should be resoundingly rejected
- No support for this at any level
- Council can't ignore the strength of feeling and the detrimental effect on the local community in Cornborough

8.0 Environment Impact Assessment (EIA)

- 8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environmental Statement is therefore required.

9.0 Main Issues

- 9.1. The key considerations in the assessment of this application are:

- Principle of development

- Design and Landscape impact
- Impact on local amenity
- Highway Impact
- Drainage
- Other matters

10.0 ASSESSMENT

Principle of Development

- 10.2 The application proposes a mixed use of the building which includes domestic storage and dog breeding.
- 10.3 A building at the site and in this open countryside location was originally justified for agricultural purposes. Planning permission was granted in 2020 to change the use of the building to a non- agricultural use as a dog breeding kennels. Policy SP6 (Delivery and distribution of employment land and premises) supports the use of land and conversion of buildings in the open countryside for appropriate rural economic activity in line with the provisions of Policy SP9 (The land-based and rural economy). Although dog breeding is not exclusively a rural activity, the use of the building and an area of land for the exercising of dogs associated with dog breeding, is considered to be an appropriate use within the rural area and is land-based as proposed. In principle therefore, it is considered that the use of the building and part of the site for dog breeding is acceptable in principle against the provisions of policies SP1, SP6 and SP9. It is considered that the earlier permission for a dog breeding establishment at the site, has established that in principle, the use is acceptable in this open countryside location.
- 10.4 It is considered that the proposed use for domestic storage would not be acceptable in principle at the site on its own or as a mixed use with the dog breeding. In this respect, a personal domestic storage use would only be considered to be acceptable in principle, if permission existed for the wider residential use of the site. Therefore, it is considered that as it stands the use of the building for domestic storage (incidental to the proposed use of the wider site for four pitches of traveller accommodation) is contingent in principle, on the decision which is made in respect of planning application: ref 22/00102/FUL.

Design and Landscape Impact

- 10.5 Policy SP16 (Design) requires that development should respect the context provided by its surroundings, including in terms of siting, scale and detailed design. Ensuring that development respects the character of the locality and wider landscape is also reiterated in Policy SP20 (Generic Development Management Issues). Policy SP20 also requires that extensions or alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form and use of materials.
- 10.6 The building is a modern steel framed building. It is utilitarian in its appearance, mass and scale. The applicant has applied green metal sheeting to all exterior walls and these external changes are a retrospective element of the application. The building is readily visible from the public right of way, approximately 130 m to the south of the building and from properties to the west. It is partially visible above established boundary hedging, from the farm to the north of the site and from the road as the site is approached.

- 10.7 The scale and form of the building reflect those of the agricultural building permitted in 2013. In terms of its scale, form and appearance the building is considered to be consistent with the other buildings and in this respect, its presence and appearance is not out of character with the surrounding agricultural/rural landscape. The proposed lean to extension to provide toilet facilities is subservient in scale and form to the existing building and the external materials are proposed to match those of the existing building and are considered to be acceptable in design terms.

Impact on Local Amenity

- 10.8 The proposed dog kennel use has the potential to impact on the residential amenity of neighbouring occupiers. The closest residential receptor is the farmhouse at Mount Pleasant Farm which is approximately 60m to the north of the application building. Mill Hill Farm and Millers Barn are over 300 m to the west.
- 10.9 The proposed use will involve visitors/ customers to view, select and collect puppies. The applicant does not currently breed dogs on a commercial scale and the supporting information does not indicate how breeding cycles will be undertaken. However, the scale of the operation would be for a maximum of six litters of puppies at any one time. It is considered that this would not result in a level of vehicular activity to and from the site that would be noticeably different to the levels of traffic along Cornborough Road, to which local residents are currently exposed. In this respect, activity associated with visiting customers would not result in unacceptable harm to the residential amenity of the occupiers of neighbouring properties.
- 10.10 The proposed use has the potential to generate noise as a result of barking dogs and noise impact has been raised in objections to the proposal from the Parish Council and from local residents.
- 10.11 The current application is not supported by a noise assessment. However, this issue was fully considered when permission was granted for the use of the dog breeding in 2019 and a noise assessment did inform the consideration of the previous application. It provided an indication of background noise levels and established that with the inclusion of a number of improvements (to the building at that time) including, overcladding, insulation, opening sizes and positions and mechanical ventilation, the use would not result in increased ambient noise. It also concluded that exercising dogs are unlikely to be a source of noise.
- 10.12 Therefore, although the current application is not supported by a noise assessment, officers, including the Council's Environmental Health Officers, are mindful of the noise assessment undertaken for the earlier scheme and the recommended mitigation measures and conclusions deemed to be necessary to achieve satisfactory noise levels. Officers are of the view that there have been no significant land use changes in the immediate vicinity of the site which would significantly change ambient background noise levels. (It is noted that objectors have raised concerns over noise associated with the unauthorised use of the wider site and barking dogs. The Council's Community Team and Environmental Health team have confirmed that they have not received any formal complaints specifically relating to noise from the site.)
- 10.13 As it currently stands, the exterior walls of the building have been clad in an insulated cladding and it is understood that insulated sheeting has been installed as part of the roof structure. The supporting material indicates that it is the applicant's intention to install a mechanical ventilation system which will be used to ensure appropriate temperatures and air flow without the need for doors to remain open, although precise details have not been provided. A large roller shutter door has been installed in the western elevation of the building, adjacent to a single pedestrian entrance door.

The acoustic properties of both of these doors is not known but clearly when open, these doors will allow noise from the interior of the building to escape.

- 10.14 The Council's Environmental Health Officers have considered the proposal and the building as it is currently built and have made the following comments and recommendations:

'The noise assessment submitted to support the previous approval 19/00603/FUL concluded that if the recommended acoustic improvements (set out in drawing refs 478-03, 478-04 & 478-05 dated April 2019) were implemented then the additional noise produced by the dogs will not result in increased ambient noise levels.

There is no information submitted with the ZE23/00437/FUL application which details whether the acoustic improvements that have been undertaken are what was detailed in the approval 19/00603/FUL and what the noise report was modelled on. If the acoustic improvements that have been undertaken differ, then the applicant must demonstrate that the acoustic improvements that have been undertaken adequately meet the level of modelled noise reduction for use as breeding kennels.

Based on this, we would recommend the following conditions:

- Prior to first use of the building for the keeping of dogs for commercial purposes, the acoustic insulation improvements shall be tested to demonstrate that they achieve the modelled noise reduction specified in Noise report ref. (R001163 v.3) of approval 19/00603/FUL.*

Reason: To ensure that noise from the buildings does not cause a nuisance to nearby residents.

- All doors to the premises shall be kept closed at all times except for the purpose of entry to or exit from the premises.*

Reason: To ensure that noise from the buildings does not cause a nuisance to nearby residents.

- Prior to first use of the building for the keeping of dogs for commercial purposes, details of the proposed ventilation system for the building shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before such use and thereafter shall be maintained throughout the lifetime of the development.*

Reason: To ensure that noise from the buildings does not cause a nuisance to nearby residents.

Informative: Please note that the proposed dog breeding activity may require a licence the applicant will need to contact animal licensing who will advise on the requirements of the layout and physical conditions of the kennels. This will impact on the number of kennels the building will be able to accommodate and require conditions to be met for the welfare of the dogs'.

- 10.15 Following discussion with the Environmental Health Officer, it is considered that a more precise condition should be applied to specify the noise level limit to be achieved. This would be no more than the background level for daytime at 40db and 37db at night time.

- 10.16 The application proposes the installation of security lighting (LED flood lights with motion sensor and timer) on all exterior corners of the building. Security lighting has the potential to impact upon the amenity of neighbours, as well as the nocturnal character of the site in the landscape. Whilst the proposal is to angle the lights downwards and to fit them 4 m from ground level, four lights on each corner of the

building is considered to be excessive, particularly given that the only entrances to the building are on the western elevation. For this reason, and notwithstanding the submitted details, a condition to secure lighting details is proposed.

Highway Impact

- 10.17 The application does not involve any changes to the existing access from Cornborough Road, which meets the required design specification, including visibility in both directions. The proposed dog breeding use is a relatively small scale operation with limited customer trips associated with viewing, visiting or collection of puppies. The Local Highway Authority has confirmed that it remains of the view the proposals would not create an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe. The LHA has noted that due to the changes from application ref 19/00603/FUL and association with the as yet to be approved travellers site, a condition to secure turning and manoeuvring for users of the domestic storage building is recommended.

Drainage and Waste

- 10.18 The site is in Flood Zone 1 and is not at risk of flooding. It is understood that surface water run-off from the existing building drains to a soakaway to the rear of the building. Surface water run-off from the proposed toilet block extension is proposed to drain via a soakaway. Percolation testing has demonstrated that drainage via ground infiltration is viable at the site and that infiltration rates to satisfy Building Regulation requirements can be achieved.
- 10.19 Foul waste water from the proposed extension to house toilets will be directed to a package treatment plant which has been installed at the site. Retrospective permission for this package treatment plant is sought as part of application ref 22/00102/FUL which is not determined at the time of writing this report. Therefore, conditions are proposed to ensure that means and details of foul waste water disposal are agreed prior to the erection of the toilet block extension and that prior to the toilets being brought into use, the plant is installed to the satisfaction of an approved Building Control Inspector. The agent has confirmed that it is no longer the applicant's intention to install a cess pit to deal with waste water from the kennel building. This follows discussion with the Council's Environmental Health Officer who has advised that in the absence of any specific justification, any requirement to dispose of foul waste water from the kennel building should be disposed of via the package treatment plant.
- 10.20 The supporting information indicates that solid waste arising from the kennels will be stored in appropriate bins prior to collection by an appropriate contractor. Notwithstanding this it is considered prudent to impose a condition to require the submission of details for the procedures for kennel cleaning and associated waste disposal.

Other Matters

- 10.21 Representations have raised animal welfare concerns. It should be noted that the applicant will need to comply with licensing requirements under Animal Welfare Regulations and any other statutory provisions. If any of these requirements require further external changes to the building then this would need to be addressed through an amendment to any permission granted.
- 10.22 Some representations have duplicated concerns/ objections in response to this application and application reference 22/00102/FUL. In considering application

22/00102/FUL, Officers have made it clear that the proposed dog breeding use does not in itself generate a requirement for someone to live on-site.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposed mixed use of the building is aligned to the applicant's proposal to use the wider site as a Gypsy and Traveller site. In this respect, the extent to which the proposed domestic storage use of the building is acceptable in principle, is dependent on whether planning permission is granted for the residential/ Gypsy and Traveller site use for the wider site. If planning permission is granted for that use, the use of the building for incidental domestic storage would help to ensure that domestic paraphernalia can be securely stored within one existing building. It would also help to reduce visual impact associated with domestic paraphernalia and pressure for additional buildings at the site which would help to ensure compliance with the requirements of Policy SP20.
- 11.2 The proposed dog kennel use does not conflict in principle with Policies SP1, SP6 and SP9 of the development plan and would represent a small business within the rural area. In the absence of objections from the Environmental Health Officer and in view of the planning history of the building, it is considered that it would be unreasonable to refuse the application on the basis of the proposed dog breeding use. It is considered that appropriate measures, secured by condition will ensure that the use can be undertaken without causing unacceptable harm to the residential amenity of the occupiers of dwellings in the locality or the environment. In this respect, the proposed development is considered to be acceptable against the provisions of Policies SP17 and SP20.
- 11.3 The external appearance of the building, surrounding hardstanding and the proposed extension is acceptable in design terms and in the context of the local landscape and is considered to accord with Policies SP16 and SP20.
- 11.4 Subject to application ref 22/00102/FUL being approved, it is considered that there are factors which weigh in favour of the development on balance.

12.0 RECOMMENDATION

- 12.1 That, subject to planning application (reference) 22/00102/FUL being approved, planning permission be GRANTED subject to conditions listed below.

Recommended conditions:

- 1 The uses and extension hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Revised site location plan: Scanned 22/1/2024
- Revised Proposed Floor Plan ref: 71328:1002 Rev B
- Elevations Plan ref: 713281001

Reason: For the avoidance of doubt and in the interests of proper planning

3 No part of the development must be brought into use until the parking, manoeuvring and turning areas for all users have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with Policy SP20 of the Local Plan Strategy.

4 Prior to the use of the building for dog breeding, full details of the ventilation system for the building shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the dog breeding use is commenced and thereafter shall be maintained throughout the lifetime of the development.

Reason: To protect the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

5 Prior to first use of the building for the keeping of dogs for commercial purposes, the acoustic properties of the building shall be tested to demonstrate that the predicted noise levels at the nearest noise sensitive receptors specified in Noise report ref. (R001163 v.3) of approval 19/00603/FUL. The levels achieved shall be no more than the current background (L90) for daytime (40dB) and night-time (37dB).

Reason: To protect the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

6 All doors to the premises shall be kept closed at all times except for the purpose of entry to or exit from the premises.

Reason: To protect the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

7 There shall be no external alteration to the building or addition of any openings, windows or doors except in accordance with the details shown on the elevation Plan hereby approved.

Reason: To ensure an appropriate appearance and to protect the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

8 The hours of use of the dog exercise area to the west of the building as shown on the block plan shall be limited to 07:00 and 21:00 hours.

Reason: To protect the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

9 The building shall only be used solely for kennels for the breeding of small breed dogs (as defined by the Kennel Club) with a maximum of 6 adult dogs at any one time.

Reason: For the avoidance of doubt and to protect the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

10 Notwithstanding the submitted details, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting, illuminance level and period of operation. Lighting details shall be designed to be the minimum needed for security, installed to minimise glare and light spillage and shall not illuminate beyond the site boundary. All lighting shall be installed and maintained in accordance with approved details.

Reason: To protect nocturnal landscape character and the residential amenity of the occupiers of neighbouring properties and to satisfy the requirements of Policy SP20 of the Local Plan Strategy

11 Notwithstanding the submitted details, prior to the dog kennel use hereby approved being brought into use, a waste management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the measures to be taken to minimise environmental issues through the correct collection and storage of animal waste. It shall detail the methods of animal bedding and kennel cleaning. Thereafter, the site shall be operated in accordance with the approved details.

Reason: In order to protect the environment and the amenity of nearby residents and to satisfy policy SP20 of the Local Plan Strategy.

12 The building shall not be let or sold off separately from the property currently known as 'The Kennels', Cornborough Road

Reason: In order to protect the residential amenity of site residents and to satisfy the requirements of Policy SP20 of the Local Plan Strategy.

13 The domestic storage use of the building shall cease when the wider site/property currently known as 'The Kennels', Cornborough Road, ceases to be occupied by those named in condition 03 of planning approval 22/00102/FUL or any other person named in any subsequent approved variation of that condition.

Reason: To protect the character of the locality in accordance with Policies SP13 and SP20 of the Local Plan Strategy

14 Prior to the toilets being brought into use, the foul water drainage system shall be installed and operational to the satisfaction of an approved Building Control Inspector. Any variation from the agreed foul water drainage system shall require the prior written approval of the Local Planning Authority.

Reason: In the interests of appropriate drainage in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

15 Full details of any means of enclosure for the dog exercise area shall be submitted to and approved in writing prior to installation and before the land is brought into use. Thereafter, the means of enclosure shall be maintained in accordance with the approved details.

Reason: To protect the character and appearance of the locality in accordance with Policies SP13 and SP20 of the Local Plan Strategy.

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting that Order with or without modification) no other fences, gates or walls shall be erected on the land without the prior approval of the Local Planning Authority.

Reason: To protect the character and appearance of the locality in accordance with Policies SP13 and SP20 of the Local Plan Strategy

Informative: Please note that the proposed dog breeding activity may require a licence the applicant will need to contact animal licensing who will advise on the requirements of the layout and physical conditions of the kennels. This will impact on the number of kennels the building will be able to accommodate and require conditions to be met for the welfare of the dogs.

Target determination date: 23/06/2023

Case Officer: jillthompson1@northyorks.gov.uk

Appendix A – Proposed Elevation Plan

