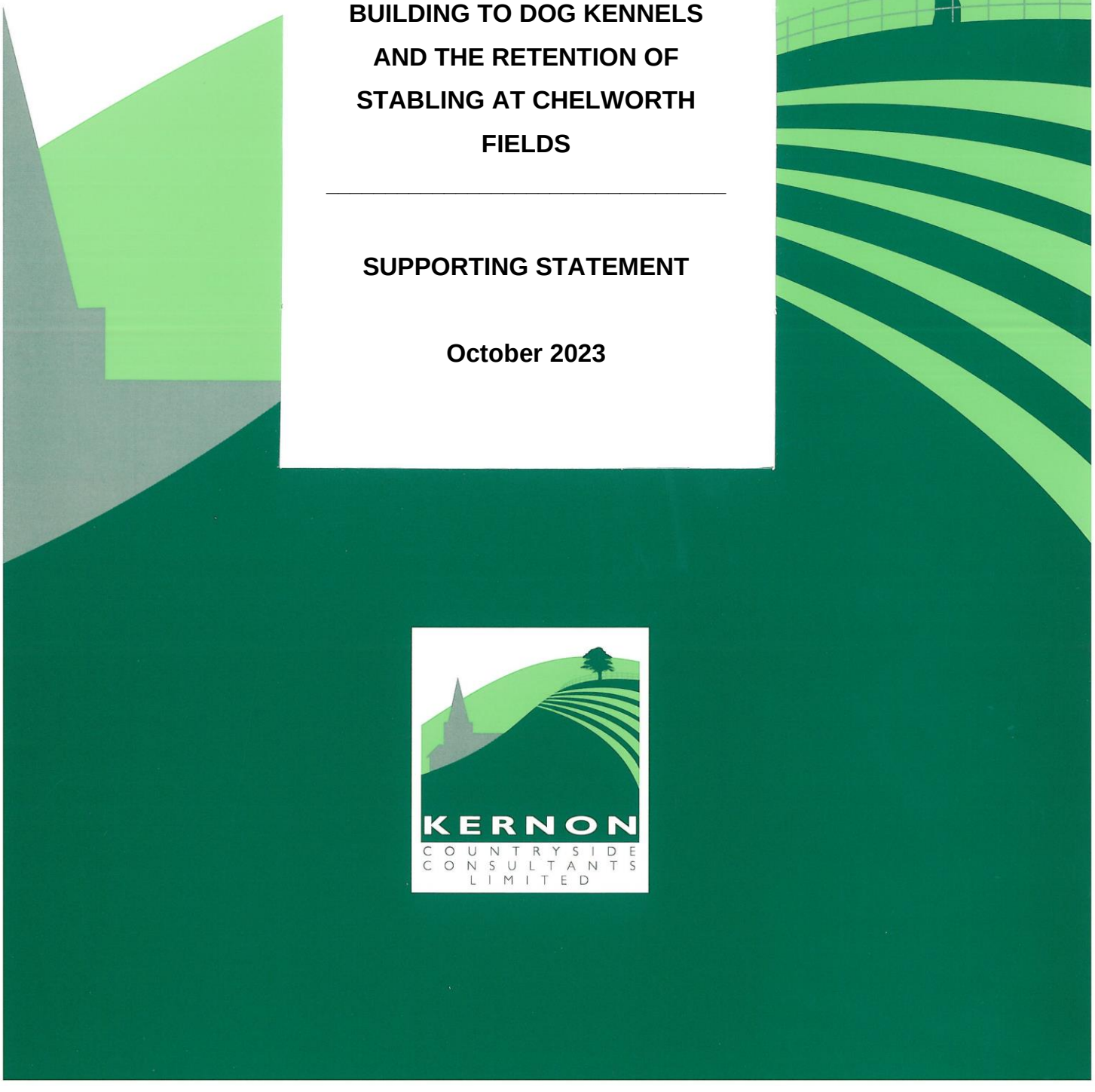
# CHANGE OF USE OF AN EXISTING AGRICULTURAL BUILDING TO DOG KENNELS AND THE RETENTION OF STABLING AT CHELWORTH FIELDS

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## SUPPORTING STATEMENT

**October 2023**



# CHANGE OF USE OF PART OF AN EXISTING AGRICULTURAL BUILDING TO DOG KENNELS AND THE RETENTION OF STABLING AT CHELWORTH FIELDS

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## SUPPORTING STATEMENT

**October 2023**

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**Authorised By EGC 10/23**

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## CONTENTS


1 Introduction

2 The Site and Proposals

3 Policy Context

4 Assessment

5 Conclusions


**Appendix**


KCC1 20/07115/FUL Officer Report

# 1 INTRODUCTION

1.1 This report accompanies a planning application for the change of use of an existing agricultural building at Chelworth Fields, near Cricklade. The proposals are as follows:

(i) the change of use of a section of the building to allow for the installation of further dog kennelling; and

(ii) the retention of stables within the remainder of the agricultural building.

1.2 The Application site can be seen outlined in red on the arial image below.

*Insert 1. The Site (boundary approx.)*



1.3 This report:

(i) describes the site and the proposal in section 2;

(ii) sets out the relevant planning policy in section 3;

(iii) assess the proposal against planning policy and any site-specific considerations in section 4; and

(iv) provides a summary and conclusions in section 5.

## 2 THE SITE AND PROPOSALS

**The Site**

2.1 The proposal site is located at Chelworth Fields Stables which is located along the B4040 on the outskirts of Cricklade, between Cirencester and Swindon. The site benefits from grazing, stables and an all-weather arena, which has supported the establishment of a long running equestrian livery business which is run by the Applicant, Kate Walsh.

2.2 As a result of the Covid-19 pandemic, Kate found that livery numbers had reduced and sought permission for the change of use of an agricultural barn and some of the grazing land to be used as boarding kennels and a doggy day care area. This application was approved in October 2020, under application reference **20/07115/FUL**. This permission has been implemented and the site now benefits from six kennels.

2.3 Kate has since found that following the cost-of-living crisis her livery numbers are continuing to deteriorate and the uptake of liveries is not as high as it once was. However, the demand for boarding kennels has maintained.

2.4 The sizes of the kennels mean that it is one dog per kennel and often, when dogs come from the same household, they must be kennelled separately, making an already stressful situation for the dog, even more difficult.

**The Proposal**

2.5 As the Applicant has found that separating dogs from the same household can cause more stress to the animal, the Applicant would like to seek permission for the change of use of part of a barn to be used for two large kennels that can have two to three dogs kennelled together.

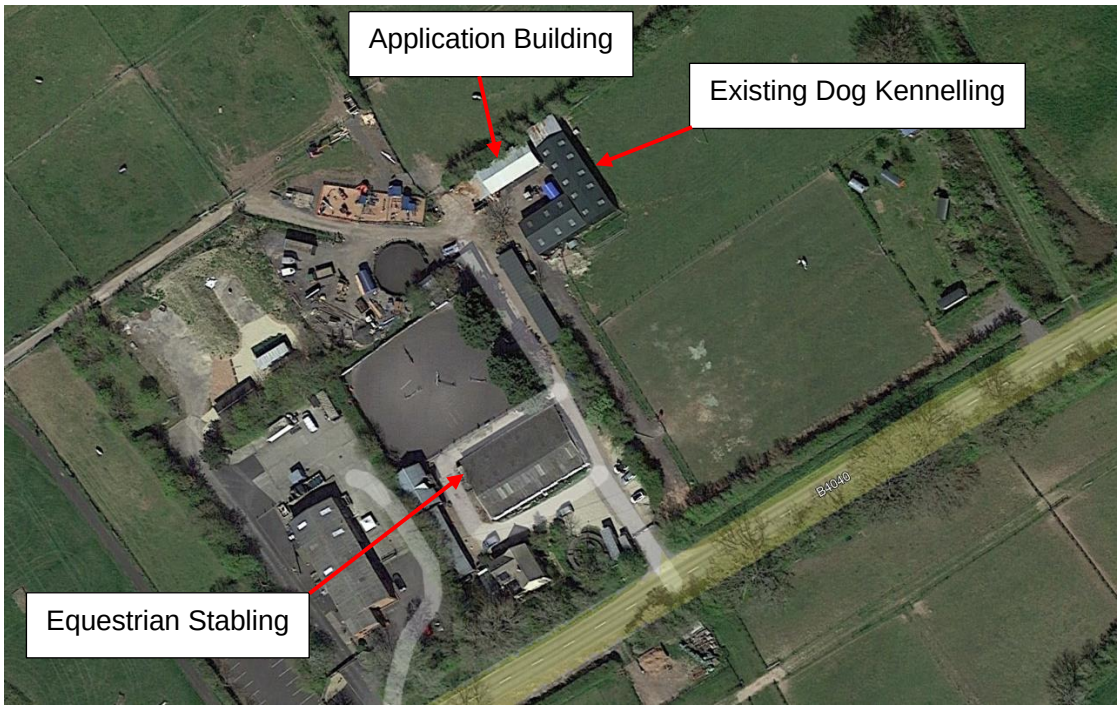
2.6 At present the barn has moveable/ collapsible stables within it, which was at one time, used for the liveries. There are a total of three large stables measuring 3.6m x 3.6m with a smaller built in stable also on the west. Whilst the stables are no longer in use, the Applicant would like permission to retain one of the stables and the built in stable should the requirement arise in the future.

*Photograph 1. Existing stables*



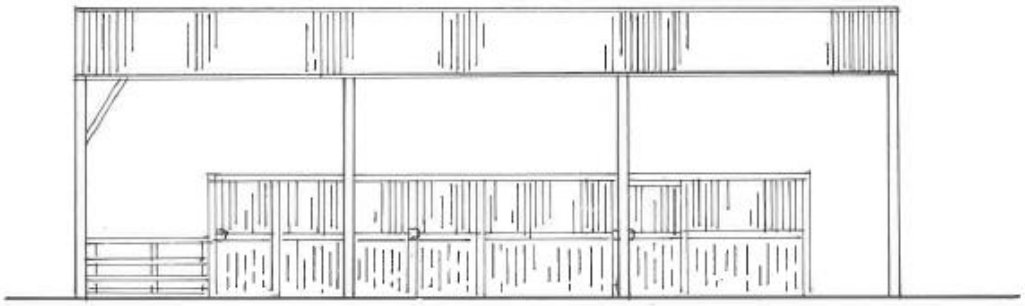
2.7 The application building sits directly northeast of the building where permission was granted for the other dog kennelling. This ensures that the kennelling remains in the same area and does not interfere significantly with the livery business on site. A plan can be seen on the insert below which shows the site layout.

*Insert 2. Site Layout*

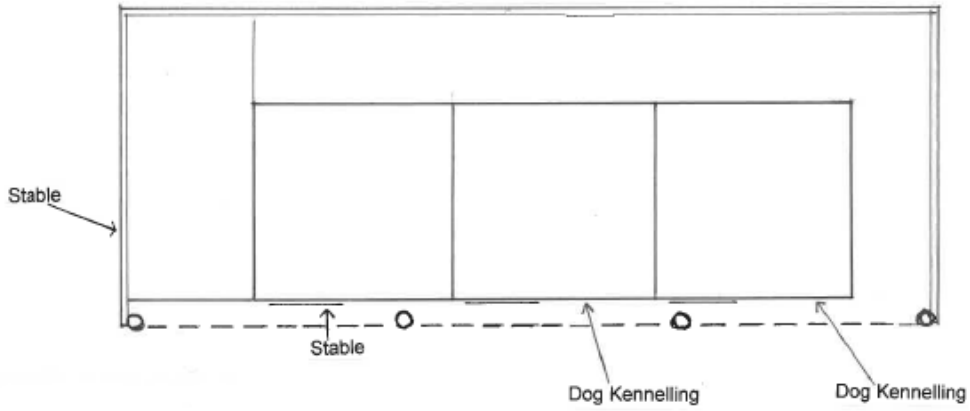


2.8 No external alterations are proposed to the barn. However, as with the existing dog kennelling, the kennels and stables will be visible from outside as the south elevation will remain open. The proposed elevations and floorplans are reproduced below.

*Insert 3. Proposed Elevations*



*Insert 4. Proposed Floorplan*




2.9 When the Planning Officer from application **20/07115/FUL** visited the site, they advised at the time that should the Applicant wish to extend the kennelling into any other buildings, then the proposed building was, in their opinion, the most suitable to do so.

# 3 POLICY CONTEXT

**National Planning Policy Framework**

3.1 Within the National Planning Policy Framework (2023) Paragraph 84 seeks to support a prosperous rural economy, stating that planning policies and decisions should enable:

**"a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;**

**b) the development and diversification of agricultural and other land-based rural businesses;**

**c) sustainable rural tourism and leisure developments which respect the character of the countryside; and**

**d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."**

**Local Planning Policy**

3.2 Wiltshire Council's Core Strategy (adopted in January 2015) seeks to support building reuse under Core policy 48 (supporting rural life), which states that proposals to convert and re0use buildings for employment, tourism, cultural and community uses will be supported, if they can meet the following criteria:

**"i) The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building;**

**ii) The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.**

**iii) The building can be served by adequate access and infrastructure.**

**iv) The site has reasonable access to local services.**

**v) The conversion or re-use of a heritage asset would lead to its valuable long term safeguarding"**

## 4 ASSESSMENT

4.1 At a national level the NPPF seeks to enable the development and diversification of land-based businesses. The proposal, as with the previous application will be a form of diversification for the Applicant to support her equestrian enterprise.

4.2 At a local level, Wiltshire Council's Core Policy seeks to support building reuse on the condition that it meets the criteria at set out within Core Policy 48. The proposed building is:

i) structurally sound and capable of conversion without any rebuilding required;
ii) the use would not detract from the character or appearance of the landscape;
iii) the building is served by adequate access and infrastructure;
iv) the site has reasonable access to local services; and
v) it is not a heritage asset or within the boundaries of a heritage asset.

4.3 Overall, the proposal is considered acceptable in principle against both local and national policy. To ensure that all considerations have been thoroughly assessed, an assessment of the site-specific impacts are set out below.

**Site Specific Considerations**

4.4 **Landscape.** The proposed change of use will not lead to any external alterations or amendments to the agricultural building. The south elevation of the barn open however, the kennels and stables will only be visible from within the 'courtyard' of buildings, one of which is already used for dog kennelling.

4.5 **Highways.** At present there are six dog kennels at the site under application **20/07115/FUL.** The Planning Officer stated **"The Council Highways Officers were consulted with respect to the scheme proposals and in response they considered that the application with regards to the use, access and parking are adequate and no objection is raised"**. Whilst this application is seeking the addition of two multiple dog occupancy kennels, it is for existing dogs that would normally be separated in the kennelling to reduce stress. It also must be noted that this is a replacement of two livery stables. Should these remain as stables that will be up to four visits per day whereas it would be considered that this proposal would generate less traffic than the liveries.

4.6 **Residential Amenity.** Residential amenity was previously assessed where the Officer said within their report that **"The proposals in the context of siting and position would not result in harm upon existing residential amenity given the limited scale of the**

**development and substantial distance from neighbouring properties"**. This proposal is sited next door to the previous application and within reasonable distance from any residential properties. Therefore, it is considered that there will be no harm upon residential amenity.

4.7 **Flood Risk.** The site is located within flood zone one and therefore, is within an area that has a low probability of flooding. This is shown on the insert of the flood map below.

*Insert 5. Flood Map*



4.9 **Ecology.** The agricultural building is not of a suitable structure for protected species. However, the change of use application will not impact the eaves or ridge of the building where birds would typically nest. Therefore, it is not considered that this would be an issue.

4.10 **Public Rights of Way.** There is a public right of way that runs along the northeastern boundary of the Applicant's land ownership (as seen on the OS map, highlighted in purple below). However, the application site is screened from the right of way by large mature hedges. As previously stated, this application does not seek to alter the exterior or appearance of the building, therefore it is not considered that this would be of concern.

*Insert 6. OS Map*



## 5 CONCLUSION

5.1 To conclude, the Applicant is seeking permission for the change of use of an existing building to provide a further two dog kennels, that are large enough to kennel multiple dogs. The Applicant is also seeking permission for the retention of two stables within the same building, that have been in situ for over seven years.

5.2 The Applicant already has permission for six dog kennels within the neighbouring building. This proposal does not seek to expand their kennelling business, but it seeks to offer better facilities for those who bring multiple dogs into the Applicants care.

5.3 No external alterations are proposed to the building and following the granting of permission of the previous kennels, all of the appropriate services and infrastructure are in place.

5.4 The proposal is supported by both National and Local Policy and meets all of the criteria set out.

5.5 No site-specific issues or designations have been identified that would mean the proposal would cause harm to its immediate setting.

5.6 Therefore, we can see no reason as to why the Council would not be able to support this application.

**APPENDIX KCC1**

**20/07115/FUL OFFICER REPORT**

## CASE OFFICER'S REPORT

| | |
|---|---|
| **Application Reference:** | **20/07115/FUL** |
| **Date of Inspection:** | **12/10/2020** |
| **Date site notice posted:** | **N/A** |
| **Date of press notice:** | **N/A** |
| **SITE ADDRESS:** | **Chelworth Fields Stables Common Hill Cricklade SN6 6HA** |
| **PROPOSAL:** | **Change of use of part of an agricultural barn to dog kennels and change of use of equestrian grazing land to an outdoor dog exercise area. Retention of existing track and hardstanding** |

**Site Description**

The proposal relates to Chelworth Field Stables, an established livery yard located off Common Hill, north of Cricklade and as such it is defined as been in the open countryside. The site is adjacent the public highways and given its setting, residential properties are substantial distance away.

**POLICIES**

**Wiltshire Core Strategy adopted Jan 2015:**

Core Policy 1: Settlement strategy
Core Policy 2: Delivery strategy
Core Policy 19: Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area
Core Policy 34: Additional employment land
Core Policy 51: Landscape
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 61: Transport and new development
Core Policy 62: Development impacts on the transport network

Saved policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).
NE18 – Noise and Pollution

**Cricklade Neighbourhood Plan (Made March 2018)**
Policy H1 – The settlement boundary

**National Planning Policy Framework Jun 2019:**
Paragraphs; 2, 9, 11, 83, 102, 108, 109, 110, 127 and 170

**ISSUES**

- Principle of development
- Impact on the character, appearance, visual amenity and openness of the countryside
- Impact upon residential amenity
- Impact on Highways/parking requirement

**CONSULTATIONS**

Cricklade Town Council: Support subject to confirmation from Highways that the road safety aspect is considered satisfactory.

Wiltshire Highways officer: no objection subject to conditions

**REPRESENTATIONS**

Public Consultation: no representations received

**RELEVANT PLANNING HISTORY**

N/03/00944/CLE – CERTIFICATE OF LAWFULNESS FOR THE USE OF LAND AND BUILDING AND CONVERSION WORKS AS EQUESTRIAN STUD FARM/CENTRE (Approve)

13/03864/FUL – Change of Use of Builders Yard, Offices & Associated Parking to General B1 & B8 Use
(Approve with Conditions)

15/11037/FUL – Replace Existing External Sheeting with Facing Brickwork (Approve with Conditions)

15/09772/FUL – Proposed New Detached Building to be Used as Archery Range (Approve with Conditions)

17/12029/FUL – Creation of an all-weather exercise track (Approve with Conditions)

18/05394/FUL – Proposed new building to be used as archery range (Approve with Conditions)

19/01615/FUL – Change of use of land to tourism use, siting of four shepherd huts and retention of existing building to be used ancillary to tourism use (Approve with Conditions)

**ASSESSMENT**

**Principle of development**

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); and the Cricklade Neighbourhood Plan (Made March 2018).

The application site is north of Cricklade which is identified in the Wiltshire Core Strategy as a local service that does have a settlement boundary, however, the application site itself is outside of the settlement boundary. Core Policy 1 of the WCS sets out the delivery strategy development in the plan area and states that Local Service Centres are defined as smaller

towns and larger villages which serve a surrounding rural hinterland and possess a level of facilities and services that, together with improved local employment, provide the best opportunities outside the Market Towns for greater self-containment.

The proposal is required to provide an overnight dog boarding service as well as an area for daytime dog exercising and part converting the existing agricultural storage building to a kennelling for up to 6 dogs. The proposed dog exercise area for change of use measure approximately 0.35 hectares of land. The area will measure approximately 85m by 40m and will utilise two existing equestrian grazing paddocks that lie adjacent to the built-up area of the yard.

The exercise area is proposed to be open to the public from 8am through to 7pm in the summer with the winter opening times restricted to daylight hours. No artificial lighting is proposed.

The dog exercise area will be available for hire in one-hour slots with 45 minutes available for exercising and 15 minutes to leave the site so that one customer/group has left before the next has arrived. It is anticipated that a maximum of 6 dogs will be allowed into the exercise area at any one time for people with more than one dog. Friends whose dogs are familiar with each other would be allowed to both use the same time slot provided the number of dogs does not exceed 6. To ensure there is no risk of escape, 1.8m high deer fencing will be erected around the two paddocks. Additionally, only one person can book each session, via on-line booking process and a bin will be provided.

Some operation development has also taken place as the site which is included within this application with retrospective consent being sought for its retention. The proposals are retentions of hardstanding and a track for the main yard.

The adopted development plan documents contain no specific policy expressly dealing with this type of land use in this location. The proposal is a commercial facility and therefore can be considered in terms of rural employment policies at national and local level. CP34 of the WCS and paras 83 of the NPPF are of relevance. CP34 and para 83 of the NPPF support such proposals subject to a range of criteria and site-specific policies. In this instance the proposal is considered to meet a number of objectives in terms of local employment and rural diversification whilst relating to a site situated in close proximity to a local service centre. The proposals themselves will generate local income and provide for a local community service. Whilst not of large scale and significance in employment and economic terms there are some benefits and a broad level of compatibility with national aims and objectives for rural employment and diversification such that it is not considered appropriate and defensible to refuse the application on the basis of an in principle conflict with the development plan and local and national policies.

Additionally, it is noted that the need for the development is based on the impact of the current pandemic which as impacted their equestrian business and as a result they have lost a number of customers. Commercial considerations are a matter for the applicants, the markets will determine the success and delivery of proposed development. As is noted above the applicant has undertaken their own research into this matter and do consider that there is a need and demand for this form of commercial operation.

It is therefore considered that the proposals are not in conflict with the development plan in principle such that consent ought to be refused on this basis and it is therefore necessary to consider the site-specific impacts of development and compliance with other development plan policies. This is addressed under subject specific headings below.

**Impact on the character, appearance, visual amenity and openness of the countryside**

Core Policy 57 of the WCS sets out that a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Core Policy 57, amongst other things, requires that applications for development should respect the local character and distinctiveness of the area with regard to the design, size, scale, density, massing, materials, siting and layout of the proposal. WCS Core Policy 51 is also relevant as it requires that development should not cause harm to the locally distinctive character of settlements and their landscape setting.

The proposals are well located to the rear of the site and such it is obscured by mature hedges and on-site buildings. In addition, given the current nature of the site and limited development proposed, harm is not considered to arise from the proposed works in the description. The retrospective works remain subservient to the immediate setting.

The proposals are therefore not considered to be harmful to the character, appearance, visual amenity and openness of the locality with regard to the form, scale, density, massing, siting and layout of the proposal is in accordance with to Core Policy CP51, 57 of the WCS & para 127 & para 170 of the Framework.

**Impact upon residential amenity**

Paragraph 127 of the Framework (July 2019) and CP57 of the WCS (Jan 2015) seek to secure high quality design and a good standard of amenity for current and future land occupants.

The proposals in the context of siting and position would not result in harm upon existing residential amenity given the limited scale of the development and substantial distance from neighbouring properties.

Therefore, due to the position, location and orientation the proposal is in accordance with CP57 of the WCS and para 127 of the NPPF.

**Impact on Highways/Parking requirement**

The Council Highways Officers were consulted with respect to the scheme proposals and in response they considered that the application with regards to the, use, access and parking are adequate and no objection is raised in this instance subject to condition limiting kennel numbers and use of the exercise area.

**Conclusion**

The retrospective alterations, proposed COU and dog kennel at Chelworth Fields Stables are considered to be acceptable in relation to the principle of development as there are economic benefits although limited. In addition, harm is not identified to locality in terms of scale, materials and design. It will also not cause further harm to the highways and amenities enjoyed

by the occupants of the surrounding properties and is therefore in accordance with CP1, CP2, CP34, CP51 & CP57 of the WCS and paragraph 83 & 127 and section 12 of the Framework.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: drg no.KCC2518/08 08/20se (location plan), drg no.KCC2518/07 08/20se (block plan) & drg no.KCC2518/09 08/20se (existing and proposed floor plans and elevations) [Received by the LPA on the 20th of August 2020]

REASON: For the avoidance of doubt and in the interests of proper planning.

3 That the Dog exercise/training facility operating hours shall be limited to 08:00 to 19:00 hrs Monday to Sunday and public holidays and in winter operations hours shall be limited to 08:00 to 19:00 hrs Monday to Sunday and public holidays.

REASON: In the interests of Residential Amenity

4 The maximum number of dogs in one paddock at a time shall be limited to 6 Dogs and these dogs shall be supervised at all times by their owners.

REASON: In the interests of Residential Amenity.

5 There shall be no more than 2 number cars at a time during the dog exercise sessions.

REASON: In the interests of highway safety and impact.

6 There shall be no erection of external lighting installed on site without the prior consent of the Local Planning Authority.

REASON: In the interests of Residential Amenity and the character and appearance of the locality.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

9 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

10 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

11 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land

outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

12 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.



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