

Application Ref: 23/00852/FUL

Proposal: Proposed Cattery, temporary mobile home and small pet crematorium

Site: Magnolia House, Old Oundle Road, Thornhaugh, Peterborough

Applicant: L. Clipsham and S. Fox Clipsham and Fox

Agent: Mr John Dickie, John Dickie Associates

Reason for Call-in: Departure Development from the Local Plan

Site visit: 01.09.2023

Case officer: Miss Molly Hood

Telephone No. 07967 318633

E-Mail: Molly.Hood@peterborough.gov.uk

Recommendation: **GRANT** subject to conditions

1 Description of the site and surroundings and Summary of the proposal

Site Description

Located outside a village envelope and within the countryside, the site forms a parcel of land situated to the rear of Magnolia House. Vehicular access is existing off Old Oundle Road and leads into an area previously used for a horticultural nursery and paddocks. The gravel car park remains from the horticultural business, however it is overgrown in places. The southern and western boundaries are defined by mature hedgerows with some sporadic trees. Majority of the site is grassland which is largely maintained, as a result of grazing.

One neighbouring property is located to the north, Magnolia House. Whilst this once was connected to the site, this has since been separated and the certificate 10/01112/CLE confirmed the dwelling has been occupied as a standalone residential property. To the east and south are paddocks, to support a new equestrian facility. To the west is Old Oundle Road.

The Proposal

Permission is sought for the construction of a permanent building to form a cattery and small pet crematorium. The proposal forms one building which is internally divided to form 28 cattery units and crematorium with supporting preparation and cleaning rooms. At its greatest length the building measures 39.5m and with a maximum ridge height of 5.7m, with the building entirely single storey.

Temporary permission is sought for a three bedroom mobile home to house the applicant and their family. The mobile home would be situated to the south of the new building.

Additional information was received during the course of the application to outline the sequential assessment the business. In addition, revised details have been supplied for the drainage strategy, ecology and trees.

2 Planning History

Reference	Proposal	Decision	Date
91/P0703	Erection of dwelling and storage/sales building (outline) (as amended by agent's letter dated 9th December 1992 - with drawing illustrative sketch scheme)	Permitted	12/01/1993
93/P0078	Erection of dwelling and sales/storage building (approval of reserved matters relating to 91/P0703)	Permitted	15/04/1993
93/P0875	Erection of a dwelling (approval of reserved matters relating to 91/P0703) (retrospective)	Permitted	19/01/1994
93/P0702	Renewal of planning permission 92/P0332 for siting of 2 mobile units for security on site	Permitted	15/02/1994
10/01112/CLE	Use of dwelling house without complying and removal of agricultural tie condition C3 of planning permission 91/P0703	Permitted	08/10/2010
22/00424/CLE	Completion of development of sales and storage building, polytunnels and car parking as consented on 91/P0703 (outline) and 93/P0078 (reserved matters)	Lawful Use Certificate Issued	28/04/2023

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2023)

- 2 Achieving sustainable development
- 6 Building a strong competitive economy
- 9 Promoting sustainable transport
- 12 Achieving well designed and beautiful places
- 15 Conserving and enhancing the natural environment

Peterborough Local Plan 2016 to 2036 (2019)

- LP02 - The Settle Hierarchy and the Countryside
- LP11 - Development in the Countryside
- LP13 - Transport
- LP16 - Urban Design and the Public Realm
- LP17 - Amenity Provision
- LP19 - The Historic Environment
- LP28 - Biodiversity and Geological Conservation
- LP29 - Trees and Woodland
- LP33 - Development on Land Affected by Contamination

4 Consultations/Representations

The Wildlife Trusts (Cambridgeshire)

No comments received

Peterborough Cycling Forum

No comments received

Thornhaugh Parish Council

No comments received

Wittering Parish Council (15.09.23)

Concerns were raised as to the environmental impact of air pollution and increased traffic on Old Oundle Road.

Environment Agency (10.11.23)

No objections

PCC Peterborough Highways Services (17.10.23)

No objection, the proposals are considered unlikely to have a material impact upon the public highway. The site has an outstanding planning permission for a Plant Nursery which has been partially implemented.

Archaeological Officer (07.08.23)

No objection, subject to a condition for a programme of archaeology work.

Lead Local Drainage Authority (25.07.23, 17.10.24)

Additional information sought on calculations, soakaways, water treatment, exceedance flows, engineering drawings and maintenance plans.

Natural England – (11.08.24)

This application has triggered one or more Impact Risk Zones, indicating that impacts to statutory designated nature conservation sites (European sites or Sites of Special Scientific Interest) are likely. The designates sites which could be impacted by this proposal are:

- Bedford Purlieus Site of Specialist Scientific Interest (SSSI)
- West Abbot's & Lound Woods Site of Specialist Scientific Interest (SSSI)

PCC Wildlife Officer (17.08.23 & 09.01.24)

The application is acceptable on arboricultural grounds, in strict accordance with the submitted arboricultural report - 'BS5837:2012 Trees in relation to design, demolition and construction. AIA, AMS & TPP in relation to trees at Magnolia House, Old Oundle Road, Thornhaugh' from East Midlands Tree Surveys Ltd dated 7th September 2023 and the recommended conditions below, for the reasons stated.

PCC Pollution Team (16.08.23 & 14.09.23)

The separation distance to sensitive residential use and the noise emission data provided is sufficient to demonstrate that noise will be mitigated to a minimum in accordance with the NPPF.

The specification states that the cremation machine has been chosen to ensure that it meets the emission limits contained in Process Guidance Note PG 5/03 - Statutory guidance for animal carcase incineration. Compliance with the stated emission limits should ensure that air quality and odour from the process do not cause any detriment beyond the site boundary.

Following the submission of emissions data, the Officer was satisfied and no objection to the proposal.

Cambridgeshire Fire & Rescue Service (31.08.23)

The Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

Designing Out Crime Officer (09.01.24)

No comments to make.

PCC Tree Officer (28.07.23, 01.11.23 & 05.12.24)

Initial request for an Arboricultural Impact Assessment, Arboricultural Method Statement and a Tree Protection Plan.

The application is acceptable on arboricultural grounds, in strict accordance with the submitted arboricultural report - 'BS5837:2012 Trees in relation to design, demolition and construction. AIA, AMS & TPP in relation to the trees. Conditions for compliance to these documents as well as a condition securing a replacement planting scheme to accommodate the loss of trees on the site.

Cadent Gas (25.07.23 & 07.08.23)

Regarding planning application 23/00852/FUL, there are National Gas Transmission assets in this area. Please proceed with caution.

Health & Safety Executive (25.07.23)

Whilst the proposed development is within the consultation distance of a major hazard pipeline, HSE do not advise against the development on safety grounds.

Local Residents/Interested Parties

Initial consultations: 3

Total number of responses: 1

Total number of objections: 0

Total number in support: 0

Support

- The pet crematorium would provide a service which is not available locally; both for pet owners and local veterinary practices. People currently need to travel a significant distance to find this service, with the nearest service for Veterinary practices being in Northampton or Cambridge.
- The crematorium will further support local businesses in its supply chain, being of considerable economic benefit to the surrounding area.
- The proposed design is sympathetic to the surrounding environment and will cause little or no disruption to surrounding sites.
- A local cattery is extremely positive for the local and something which is lacking in the surrounding area.
- Create local job opportunities.

Object

- Obnoxious fumes and smells from the crematorium, and proximity to Home Farm hamlet.
- The proposed development will increase traffic on the A47, at what is already a busy and dangerous intersection and consideration should be given to this.
- No consultation with the residents of Home Farm.

5 Assessment of the planning issues

The main considerations are:

- a) Principle of Development
- b) Residential Amenity
- c) Design and Appearance
- d) Highway Safety
- e) Ecology and Trees

a) Principle of Development

The application site is situated outside the village envelope for Thornhaugh and within the countryside. Previously the site formed a horticultural nursery, with paddocks for the owners horses. The land has since been separated from Magnolia House and now forms a stand alone site for the proposed development of a crematorium and cattery. For clarity the assessment of principle will be split into the following two areas:

- i. Cattery and Crematorium
- ii. Temporary Mobile Home

i) Cattery and Crematorium

The application has been supported by a sequential assessment to outline how the location of the site has been reached, market research of the surrounding facilities and business plan. All information has been reviewed by the Local Planning Authority and an independent Agricultural Consultant. The findings of the independent consultant are expected to support officers' assessment and will be supplied with the updated report.

The proposal is for the creation of a new commercial premises in the countryside, the cattery and crematorium falls under a Sui Generis uses class. The site itself was not previously part of an agricultural holding and was formerly an independent horticultural business. As such the proposal doesn't neatly fit under any of the parts of exception Policy LP11 and as such forms a departure development from the 2019 Local Plan. However, this doesn't automatically mean the scheme is not acceptable and as such an evidence basis for the proposed development has been supplied by the applicant.

The proposed uses (cattery and crematorium) are not those which would be expected within a defined village envelope or Peterborough Urban Area and are those which would be expected in a rural setting. The application has outlined the essential criteria for a development site in order to support the business proposed, this including:

- A site of 0.3-1ha.
- Location – based on the local need and gap in the market.
- Not within Flood Zone 2 or 3 (this is to ensure compliance to NPPF).
- Vehicular Parking.
- Cost of the site and the limitations this poses on the start up of the business.

The essential criteria outlined above, is considered reasonable and all applicable to deliver the essential needs of the businesses proposed. The sequential test outlines 150 sites across the Peterborough District which were reviewed as potential locations for the business. A total of 36 sites had passed the essential criteria and as such required further assessment, looking at further potential constraints to the development proposed, this included matters such as residential amenity, heritage or viability for sale. As such the remaining sites were ruled out and therefore the development site proposed under this application was the only suitable location remaining.

The applicant has illustrated the proximity of existing businesses for both catteries and crematoriums, all are assessed on the distance from the development site proposed. There are number of catteries listed, however it is noted majority are 14 miles or in excess from the application site. With only one in reasonable proximity being at 8.2 miles from the application site. Therefore, it could be deemed to be reasonable demand for this facility in the area proposed. As for the crematorium there are seven animal crematoriums listed, however these are all a considerable distance from the application site, with only one in reasonable proximity in Market Deeping. The public representations of support for the introduction of these facilities in the local area are noted.

ii) Temporary Mobile Home

Permission is sought for a three bedroom mobile home to support the new cattery and crematorium. The mobile home will provide accommodate for the applicant, who will work full time in the business and their family.

Within paragraph 80(a) the National Planning Policy Framework provision is made for dwellings in the countryside, if there is an essential need for a rural worker to live permanently at or near their place of work. Within the Local Plan, exception Policy LP11 provides the mechanism for new workers dwellings in the countryside. It is acknowledged the Policy is centred on the provision of residential accommodation for existing business, however there is the provision for temporary accommodation albeit that a sound financial basis has been presented.

Residential accommodation cannot be fulfilled by an existing dwelling, as Magnolia House is not to be associated with the development and is only a neighbouring property. There are no existing buildings on the site, as such not providing the opportunity for conversion and both uses have legislative requirements for on site provision which rules out living within a close by settlement, such as Thornhaugh. Furthermore, the applicant will be a full time worker for crematorium and also be responsible for the cattery business, but will have supporting staff for this side of the commercial use.

Supplementary evidence has outlined a clear functional need (i.e. it is essential for the proper functioning of the enterprise for one worker to be on the site for all of the time; in order to support the cattery and the crematorium. For instance, there are legislative requirements for one full time members of staff to be on site for welfare monitoring of the animals being cared for, medication needs for animals boarding and extraction of animals in the event of an emergency. Officers have considered the operational and welfare requirements of the business and are satisfied for one worker to be present on site at all times.

As for the crematorium, the operations require supervision given the temperature and safety procedures that have to be carried out in between processing, as well as setting up and closing down the machines. The operations of the crematorium are dependant on the animal and fluctuation of the need of the service. Therefore, exact timeframes will not be stipulated for the crematorium operations and the LPA understand the need for the flexibility for 24 operation.

The applicant has provided a sequential test, evidenced the operations and demand of the businesses proposed and justified the new permanent building in the countryside. The Council have noted the legislative needs for the cattery business and safety need for the crematorium, to have one full time worker present on site at all time. Whilst the proposal would contravene the locational strategy of Policy LP2, the Council considers an on balance decision should be made given the unique situation presented by the businesses proposed.

It is considered the circumstances and material considerations outlined above, outweigh the identified conflict with the development plan. Therefore the proposal is in principal acceptable. The consultant's findings (to be reported in the update report) are expected to support this conclusion.

b) Residential Amenity

The nearest residential dwelling to the site is Magnolia House to the north. The cattery and crematorium are at the furthest locations possible from Magnolia House and the new built form raises no significant concerns of overbearing, overshadowing or overlooking to the adjacent property or its amenity space.

It's acknowledged the proposal will alter the residential amenity levels for the neighbouring property, particularly given the access point is close proximity to the rear curtilage of Magnolia

House. However, the proposal is not considered to result in unacceptable amenity impacts given the number of trips anticipated by the use. Expected visitor trips to the cattery is 6 vehicles and with the potential for up to 3 staff members. It is anticipated that during peak season (summer) this could be higher, however cattery collections/drop offs will only be within the limited public opening hours and therefore minimises the impact further. The crematorium will generate less trips and is largely on an ad-hoc basis given the use and the vets. The volume of vehicular movements are not considered to raise significant concern for noise or disturbance to the neighbour's amenity space or dwelling. A condition will be applied ensuring hard surfacing details are incorporated to prevent a surfacing that could create excessive noise, such as loose gravel.

Pollution Control did note the provision of a pet cremation machine and cattery both have the potential to generate noise. However, the separation distance to the nearest sensitive residential use and the noise emission data provided is sufficient to demonstrate that noise will be mitigated to a minimum in accordance with the NPPF. A condition will be applied ensuring compliance to the plant details supplied and a maintenance schedule to be followed, with details supplied and agreed with the LPA.

Additional information outlined the anticipated emissions from the combustion process, with the levels within an acceptable range and raising no amenity concerns. The specification states the cremation machine has been chosen to ensure that it meets the emission limits contained in Process Guidance Note PG 5/03 - Statutory guidance for animal carcase incineration. Compliance with the stated emission limits should ensure that air quality and odour from the process do not cause any detriment beyond the site boundary.

The premises will have different operational hours or its public hours for both the cattery and the crematorium. Given the nature of the use the crematorium will have the ability to be operational hours 24 hours a day, this is subject to the work on the day and legislative requirements. It doesn't mean the crematorium will be operating for the full 24 hours, however it provides the flexibility for the unique use. There are no unacceptable amenity concerns from allowing the crematorium to have the flexibility to operate for 24 hours a day, as trips are limited and the applicant being the operator. Furthermore, noise and emissions have been demonstrated to be low and at acceptable levels.

The following operational and public hours will be secured via condition:

- Cattery Public Access: 10:00-12:00 16:00-17:30
- Cattery Staff Operational Hours: 07:30 – 17:00
- Crematorium Public Access: 08:00-18:00
- Crematorium Staff Operational Hours: 24 hours per day

In light of the above, the proposed crematorium and cattery are considered acceptable uses adjacent to the single residential property to the north. There are no concerns of unacceptable noise, pollution or harm from the proposed built form to either immediate or wider residential properties in the surrounding area from the uses. As such the proposal complies with Policy LP17 of the Peterborough Local Plan 2019.

c) Design and Appearance

Although the proposal is large in footprint and forms one continuous building, the L-shape design and distinction in roof forms minimises the massing of the structure. The orientation of the building relates well to the access, allowing for the best vantage point of the design when entering. It's acknowledged the proposal will add a large permanent structure into this countryside location. However, the principle of the new business has been well evidenced and justified by the applicants, with confidence in the ability of this to remain a permanent commercial use.

The floor area and volume of ancillary rooms were queried; however, the applicant adequately

justified the ancillary need or legislative requirements for the rooms indicated. For instance, the cattery requires isolation facilities in case of illness, with separate cleaning and food preparation areas. As for the crematorium, this includes processing rooms and welfare spaces for visitors or staff. It is considered the building is not excessively designed in the floor area and appropriately meets the needs of the business.

The commercial building is centrally located within the site, with a good balance between the volume of built form and the surrounding land for parking, amenity landscaping and the residential area. To the south of the business premises is the intended location of the applicant's mobile home, which closely relates to the business building - approximately 12.6m from the rear elevation. The mobile home would be well screened by the building itself but also the existing boundary hedging. The area indicated for curtilage is appropriate for not only the mobile home, but also future permanent provision for a residence should this be applied for and therefore not requiring further extension of the site boundaries. The curtilage is immediately adjacent to the business and does not excessively extend in the countryside, as well as allowing for parking provision.

It is considered there is further scope to enhance the soft landscaping around the site, in particular to the east. The eastern boundary is the most open of the site, as this borders onto paddocks for a neighbouring equestrian use. The central location of the building is a positive of the design, as it steps the built form in from the open countryside, allowing for greater opportunities for soft landscaping either along the building line or eastern boundary.

The building proposed is considered proportionate to the needs of the two commercial uses and raises no significant concerns in terms of scale or prominence in the countryside location. Materials for the building, hard landscaping and soft landscaping can all be secured via condition. In light of the above, the proposal complies with Policy LP16 of the Peterborough Local Plan 2019.

d) Highway Safety

Access is existing off Old Oundle Road, which is a 40mph highway. The proposal demonstrates a 5m wide access point, tarmacked for the first 13m straight and the curve of the internal access road, before leading into a stabilised gravel driveway – details of this are to be secured via condition. Where the surfacing materials interchange, is a vehicular gate which feeds into a boundary treatment. Exact details of this gate and boundary treatment is unknown, but in principle there are no concerns with the location or principle of securing the site. The gate location still allows for vehicles to pull into the site and therefore will not be waiting on the highway. Full details of the gate and boundary treatment will be secured via condition.

The Local Highway Authority raise no objection to the development, noting the previous permission for a plant nursery which utilised this access point. The LHA are satisfied that the new proposals shall not significantly increase the volume of traffic visiting the site to that which was previously approved. The number of trips to the site is anticipated at approximately 6 public trips per day, it is appreciated this could increase during summer periods, however the level of vehicular movements raises no significant concerns. In addition, there will also be staff movements, but staffing levels are low with up to three additional staff members (not all full time) and therefore raises no impacts for vehicular movements.

A total of 14no. parking spaces are provided forward of the building. The proposal is classified as a Sui Generis use, therefore parking is on a case by case basis. The crematorium is unlikely to require a large proportion of car parking. The cattery has limited public opening hours, meaning the customers will likely be visiting the site at similar times. However, the nature of the use means time spent at the cattery by customers will be limited, as this is only for collection or drop off. Therefore, the parking provision is considered appropriate for the cattery and crematorium.

Waste storage and day collection remains out of the access road and will not obstruct vehicles. Customer cycle parking provision is unlikely given the proposed uses and location. Provision of one stand (2 spaces) should be provided for staff to give the option, this can be secured via

condition.

In light of the above, the proposal raises no significant highway safety concerns and delivers an acceptable level of parking provision in accordance with Policy LP13 and Appendix C.

f) Trees

Spanning the length of the western and southern boundaries are mature trees and hedgerows. The eastern boundary is more open but still contains a moderate hedgerow and within the site there are sporadic trees present. It is recognised majority of the boundary vegetation will remain undisturbed, with only protection and management required.

The Arboricultural Impact Assessment (AIA), illustrates a total of three trees and one central grouping will be removed to accommodate the development. NT6 and NT3 are removed either due to the poor condition of the tree or it was a self-set in a poor location. The removal of these two ash trees is not considered to compromise the canopy along the western boundary, as there are still a number of ash trees remaining.

The Norway Maple (T589) is being removed to facilitate the internal driveway, however there is no adverse effect on the greater landscape from the loss of the tree. Finally, the removal of G1 is considered acceptable, in order to facilitate the building. The Trees Officer raises no objection to the tree removal proposed and seeks the development to be carried out in accordance with the Arboricultural reports submitted. Conditions will be applied to ensure compliance with the method statement and tree protection plan. Furthermore, a condition will be applied to secure replacement planting for NT3, G1 and T589 only.

Although the new access routes sit in close proximity to the western boundary, the GeoPave system filled with crushed stone, provides a positive surfacing for vehicular access in such close proximity to the existing tree belts.

The development has adequately considered the impact on the existing trees, with minimal disturbance and tree loss, therefore complying with Policy LP29 of the Peterborough Local Plan 2019.

g) Ecology

Whilst the Wildlife Officer initially raised concerns, this was on the basis of insufficient information and since then a Preliminary Ecology Appraisal (PEA), Roost Assessment and Biodiversity Net Gain assessment have been supplied. The Wildlife Officer also highlighted the site falls within a red Great Crested Newt Risk Zone, however the PEA has addressed the likelihood for GCN on the site and considers this to be low risks. The Wildlife Officer was satisfied the documents provided cover the concerns initially raised and no further risks were identified for protected species on the site.

In terms of Biodiversity Net Gain, the scheme presented will result in a net gain of both habitat (14.2%) and hedgerow (11%) and exceeds the national 10% uplift. This application is received prior to the mandatory requirements for biodiversity net gain, however it is a positive of the development to deliver this gain on the site. The only outstanding information is how the habitats will be managed in order to maintain the uplift, however a condition can be applied for a BNG management plan.

In light of the above, the proposal complies with Policy LP28 as the development has been considered for potential impacts for protected species and delivering an enhancement in habits.

g) Other Matters

Gas

National Gas advises there are transmission assets in the area and seeks the applicant to proceed with caution. An informative will be applied to any grant of permission and it will be the applicants responsibility to ensure necessary procedures are followed by National Gas.

Drainage

Initially the Drainage Officer sought additional information on the surface water drainage strategy for the site, in particular calculations for the infiltration systems, a site layout demonstrating all location features, outfall location and conveyance flows. Engineering drawings detailing the SUD's components and a maintenance plan were also sought. Following the submission of additional information to illustrate the surface and foul water drainage scheme for the site, the LLFA were satisfied and raised no objection.

Archaeology

Due to lack of available evidence, there is insufficient information to enable the characterization of the site with a satisfactory degree of confidence and the potential of the site is unknown. As such the Archaeological Officer has recommended an evaluation by trial trenching which can be secured by condition.

6 Conclusions

Whilst the development is located within the open countryside and contravenes the merits of Policy LP2, the proposal is considered to be a rural use and appropriate for its proposed location. The applicant has supplied sufficient evidence to justify this particular development site, with detail on the businesses proposed and the local need. Furthermore, there are no identified residential amenity impacts, highway safety risks or visual impacts from the development. On balance, these material considerations outweigh the conflict with the development plan and the development is considered acceptable.

7 Recommendation

The case officer recommends that Planning Permission is GRANTED subject to the following conditions:

- 1 – Time Limit
- 2 – Approved Plans
- 3 – Hard Landscaping
- 4 – Compliance to the datasheets for the Cremator
- 5 – Hours of Operation
- 6 – Materials of the Building
- 7 – Soft Landscaping
- 8 – Vehicular Gate
- 9 – Parking Area Compliance to approved plan
- 10 – Compliance to the AIA, AMS and TPP
- 11 - Compensatory tree planting scheme
- 12 – Biodiversity Net Gain Management Plan

- 13 – Archaeological Investigation
- 14 – Surface and Foul Water Drainage Strategy Compliance
- 15 – Unexpected Contamination
- 16 – Compliance to the Construction & Environmental Management Plan
- 17 – External Lighting details to be submitted
- 18 – Boundary Treatments
- 19 – Use restriction to a cattery and crematorium only.
- 20 – Mobile home occupancy restriction to the business only.

The full wording of the conditions will be set out in the Update Report

Copies to Councillors- Councillor Gavin Elsey

This page is intentionally left blank