

Coberley Parish Council

Planning Application [14/03255/FUL](#) Proposed change of use of part of building from residential to dog boarding kennels. Location: 1 Oxford Cottages, Ullenwood, Cheltenham, Gloucestershire, GL53 9QX,

Coberley Parish Council opposes the above application for the following reasons which have been established both through a public meeting on 6 November 2014 and through individual consultations with parishioners.

- The development would result in increased traffic entering and exiting from the application site (whether this is client traffic or business owner's transport)
- The A436, on which the site is located, is a busy road as a major artery from London to Gloucester and the M5
- Directly opposite the site is the junction with the lane to Coberley village which carries regular traffic to/from the village, including parents delivering/collecting children from the school in the village. It is also believed that the lane is used as a cut-through from the A435.
- An official traffic survey carried out in the near vicinity (Cowley/Ullenwood crossroads) in October 2012 by Gloucestershire Constabulary showed that the A436 carried over 83,000 vehicles per week. A significant volume of traffic was travelling above the 50 mph speed limit in the 50 – 60 mph bracket, whilst the highest recorded speed was 82 mph.
- As noted by GCC Highways Development Management in their response, "There are 3 road bollards to signify a definition between highway and bounded verge, each has evidence of vehicular strikes. Collision records have recorded 2 road incidents in the last 5 years within close proximity to this development." There was a further major incident involving a lorry crashing through fencing and overturning in the adjacent field on Saturday 25th October.
- Local residents report that a minor traffic accident occurs in the vicinity approximately once a month and that two major accidents have occurred this year, including the incident of 25 October mentioned above.
- During evening commuting times, it is reported that traffic, travelling in a westerly direction, is at a stand-still 3 to 4 times per week, making movement from the application site more difficult.
- Also as noted by Highways, the proposed development contravenes paragraph 32 of the National Planning Policy Framework (NPPF) as safe and suitable access to the site cannot be achieved for all people and the residual cumulative impacts of development upon the highway are severe.

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- There is no gate to the property and the wall is low. It can surely not be guaranteed that a dog will not become loose in the forecourt (e.g. when being moved to/from transport). This would present an immediate hazard risk to the traffic on the highway.
- As there appears to be no space on-site to exercise the dogs, this activity will necessitate moving them on/off site regularly. If by van, this will add to the number of vehicle movements in/out of the A436 traffic flow. If on foot, this will inevitably mean crossing the A436 to access Coberley Lane (directly opposite). We would consider this action with one or more dogs, to be a high hazard risk.
- The applicant's commissioned noise impact assessment concludes that, "based on measured noise levels criteria it is seen that attenuation measures will be required in order to achieve a comfortable acoustic environment for the adjacent residential development.
- The noise impact assessment provides a number of noise mitigation measures in Section 7 of the report. However, the applicant's letter does not make it clear that she would be adopting all these measures; she only states that "There would be very limited noise pollution due the existing stone building, insulation, soundproof doors and double-glazing"
- Local residents have made the following points with regard to the noise impact assessment:
 1. The Aran Acoustics' report appears to use an inappropriate standard for the assessment.
 2. The assessment chooses to use the daily average noise level rather than the night-time level when the latter is clearly more important as night noise will disturb sleep and therefore be both more annoying and more injurious to the health of the neighbours.
 3. The assumptions made do not bear close scrutiny, particularly with reference to the potential attenuation of a partially open window given that most usage of the kennels will likely be in the summer, when windows could be wide open. Provision of adequate ventilation with significant noise abatement is hardly realistic.
 4. The arguments set down are not self-consistent and show evidence of having been assembled to support a particular outcome rather than to be a credible investigation of the situation
- The NPPF paragraph 123 states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- The sound of dogs barking for long periods of time can be a nuisance purely in terms of the irritating repetition and pitch, not solely because of the decibel level. It is unlikely that the sound of boarded dogs could be completely contained and that there would, as the applicant states, "be no disturbance whatsoever" to the neighbours. It is also noted that in the noise impact assessment, there is

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reference to a “small enclosed area is provided to the rear of the building where dogs will be taken out individually to relieve themselves.” This, as well as doors and windows potentially being left open, especially in warm weather, (otherwise the environment would surely be unhealthy for the animals) must indicate the likelihood of sufficiently audible noise nuisance.

- There is inconsistency in the application in that the applicant states that “There would only be one or two dogs staying and if the business was successful there is a maximum of eight.”. However, the layout plan clearly shows 10 kennels and one must therefore work on the premise that the latter is the potential number.
- Whilst it is appreciated that the applicant has stated that dog waste will be stored in purpose-specific containers and collected on a regular basis, we are concerned at observations made by neighbours that the kennel building has been connected to the cesspit which is jointly owned with 2 Oxford Cottages. We ask that CDC investigates this and clarifies the purpose of this connection on the grounds of potential risk of environmental harm, including potential contamination of the nearby stream which flows into Coberley village.
- It would appear that a considerable amount of development work has already taken place on the site with regard to this enterprise and, if this is correct, the Parish Council urges CDC not to be swayed into granting permission on the grounds that investment has already been made in this commercial enterprise. This would send out an unacceptable message to others.
- It has been raised by the neighbours at 2 Oxford Cottages that the original planning permission for the designated kennel building stated that no window or door was to be put in the end, westerly facing wall. A door has been set into this wall, shown as the fire exit on the application plan.