



Planning Committee Report

Application Number: WNS/2022/0829/MAF
Location: Towcester Racecourse, London Road, Towcester
Development: Change of use of stables to mixed use stables and kennels (retrospective)

Applicant: Fermor Land LLP
Agent: AMPlanning Consultants Limited
Case Officer: James Paterson

Ward: Deanshanger

Reason for Referral: Major Application

Committee Date: 08/02/24

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS

Proposal

Change of use of stables to mixed use stables and kennels. (retrospective)

Consultations

The following consultees have raised **objections** to the application:

- Paulerspury Parish Council

The following consultees have raised **no objections** to the application:

- Crime Prevention Officer, Gardens Trust, Historic England, Towcester Town Council, WNC Environmental Health, WNC Heritage Team, WNC Licensing, WNC Local Highways Authority

No consultees are **in support** of the application:

1 letters of objection have been received and no letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Design

- Heritage
- Neighbouring Amenity
- Highways

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 This application site relates specifically to the former stables (outlined in red on the submitted location plan) which is located within the wider Towcester Racecourse site (outlined in blue on the submitted location plan). The lawful use of the stables are considered to be as such since, although there is no specific site history relating to the stables, it is a historic complex associated with the horse racing which originally took place on the site. The racecourse site is bounded to the south and west by the town of Towcester, to the east by Heathencote and to the north by further parkland associated with Easton Neston House.
- 1.2 The Towcester Racecourse is set within the Grade II* listed Historic Park and Garden associated with Easton Neston House, which is located to the north of the site. The racecourse as a whole occupies approximately a third of the listed parkland and is therefore important in terms of the significance of this heritage asset. The main entrance to the racecourse from the A5 features a Grade I listed gateway which is both very distinctive and an important landmark to the area while also being of national significance due to its heritage value.
- 1.3 The application itself comprises only a small portion of the wider racecourse and includes only the stable complex in the south-eastern corner of the site, as well as the access to the site from Shutlanger Road. The complex itself is a moderately sized structure and is constructed of red brick with a characterful clocktower above the north-west element of the stables.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This applications seeks retrospective planning permission for the change of use of the stable block from use solely for the stabling of horses to a mixed flexible use for the stabling of horses and as kennels for dogs, meaning either dogs or horses could be kept in the existing stables. The change of use would apply to the areas surrounding the stables since some areas external to the stables have been enclosed creating twelve paddocks for the dogs for use during the day. No other alterations are proposed which would require planning permission.
- 2.2 While the number of dogs which are kept on-site naturally fluctuates, at the time of the most recent noise survey (September 2023) there were 173 dogs on site; however it should be noted that the capacity of the kennels would be for up to 250 dogs. The dogs are kept with three or four dogs to a stable (kennel) with some dogs kept separately for

various reasons; the dogs are exercised daily around the racecourse site and on a separate grass gallop. While, therefore, the activities associated with the care of the dogs can take place beyond the red line of the application site, the vast majority of the activities of the dogs, including sleeping, caring, feeding, and to an extent exercising all are confined to within the red line of the application site. Therefore, officers consider that the submitted red line of the submitted location plan is accurate. The wider site, including the racecourse, has to comply with separate standards and codes of practice relating to greyhound racing, via the Greyhound Board of Great Britain.

- 2.3 It should be noted the Council considers that the mixed stable/kennel use began in 2019, following the cessation of horse racing and commencement of greyhound racing on the site, and has been subject to an enforcement investigation since 2020 which led to this application being submitted in early 2022 to regularise this breach in planning control. It should be noted that this use remains unlawful as it would need to operate for ten years before it became immune from enforcement.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:
- 3.2 S/2011/1219/MAF Construction of a greyhound race track & associated infrastructure - Towcester Racecourse London Road Towcester – Approval
- 3.3 S/2015/0758/MAF Surfacing of existing car parking area and erection of 5no. 8metre tubular lighting columns - Towcester Racecourse Road to Easton Neston Estate Easton Neston (Paulerspury Parish) – Withdrawn
- 3.4 S/2015/3063/MAF Variation of condition 2 (plans) of approved application S/2011/1219/MAF (Construction of a greyhound race track & associated infrastructure) To regularise the 2no lighting columns which have been erected and to regularise the luminaries implemented (Retrospective) - Greyhound Racetrack Towcester Racecourse Easton Neston - Approval
- 3.5 S/2016/0316/MAF Temporary surfacing of the existing car park and the erection of 5no 8 metre lighting columns and associated lighting - Towcester Racecourse Co Ltd Towcester Racecourse Road To Easton Neston Estate Easton Neston NN12 7HS - Approval
- 3.6 WNS/2022/1025/FUL Retention of two static caravans and a proposed static caravan overnight staff accommodation - Towcester Racecourse London Road Towcester NN12 6LB - Withdrawn
- 3.7 2023/8031/S73 Variation of condition 8 of WNS/2022/0821/MAF ((Variation of condition 3 (boundary treatments) of Planning Permission Ref. No. WNS/2021/1938/MAF to alter details of fencing. (amended description)) to increase number of operational days from 4 to 6 - Towcester Racecourse London Road Towcester NN12 6LB - Pending

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 4.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area. F

Development Plan

- 4.5 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 4.6 The relevant policies of the LPP1 are:
- SA – Presumption in Favour of Sustainable Development
 - S1 – Distribution of Development
 - S10 – Sustainable Development Principles
 - R1 – Spatial Strategy for the Rural Areas
 - R2 – Rural Economy
 - BN5 - The Historic Environment and Landscape
 - BN9 - Pollution
 - T5 – Towcester Racecourse

South Northamptonshire Local Plan (Part 2) (LPP2)

- 4.7 The relevant policies of the LPP2 are:
- SS1 - The Settlement Hierarchy
 - SS2 - General Development and Design Principles
 - HE1 - Significance of Heritage Assets
 - HE3 - Historic Parks and Gardens
 - HE5 - Listed Buildings
 - EMP4 – Visitor Economy

5 RESPONSE TO CONSULTATION

- 5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
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Crime Prevention Design Advisor	No Objection	Northamptonshire Police has no objections to the application for COU from stables to mixed use stables and kennels
Gardens Trust	No Comment	
Historic England	No Comment	
Paulerspury Parish Council	Objection	<p>Taking advice from councillors with considerable knowledge of both horses and dogs the council understands that to house them side by side as proposed is totally unacceptable. It is hoped that veterinary advice will be sought prior to this application being considered.</p> <p>Paulerspury Parish Council has considerable concerns regarding this application. Heathencote is part of our parish and the increase in traffic has been significant and gives rise to substantial problems for the residents. Given how close the residences in Heathencote are to the stables the residents have suffered from the noise emanating from the dogs, particularly in the early hours of the morning as they are presumably waiting to be fed. Noise continues to be heard at various times throughout the day which limits how the residents can enjoy outside life in their own grounds. Powerful lighting is another issue with regards to this activity. Their controls do not take into consideration the fact that the huge volume of light pollutes Heathencote. Clarity is required to determine the use of these caravans. If this application is approved the use of the caravans must be so conditioned that they are solely for the use of staff directly employed to manage the greyhounds. Paulerspury Parish Council strongly OBJECTS to this application.</p>
Towcester Town Council	No Objection	
WNC Environmental Protection Team	No Objection	<p>The Environmental Protection team have received complaints of dog barking, the last complaint was in 2020. None of the complaints have been substantiated as a statutory nuisance.</p> <p>Given the history of complaints the Environmental Protection team requested a site visit which took place on 19th July 2023. Following on from the visit additional information in the</p>

		<p>form of an updated Noise Impact Assessment, to consider additional noise sensitive receptors, and a Noise Management Plan were requested.</p> <p>I have now reviewed the updated Noise Impact Assessment dated 28th September 2023 and the updated Noise Management Plan December 2023 V3 and I make no adverse comments however I would recommend that the following condition is attached to any permission given</p>
WNC Heritage Team	No Objection	<p>Thank you for consulting me on the additional information submitted in support of this application. I have now had an opportunity to consider the information submitted and have the following comments. The applicant should be aware that the information provided in the Planning and Heritage Statement does not fulfil the requirements of Para 194 of the NPPF. This requires the significance of the asset to be described which requires a level of analysis of the assets various values preferably by a suitably qualified specialist; this analysis exceeds a factual description of the asset or the repeating of the HE Listing provided. The applicant should ensure all future applications submitted on the site are supported by an appropriate Heritage Statement. Notwithstanding the above comments I have no further comments to make</p>
WNC Licensing	No Objection	<p>No objections, however any stables and kennels will need a relevant animal licence which can be applied for online.</p>
WNC Local Highways Authority	No Objection	<p>Having reviewed the information supplied in relation to this planning application, the local highway authority does not have any comments to make.</p> <p><i>Officer note: The LHA have requested a condition and two informatives which have been included.</i></p>

6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 There has been one objection, raising the following comments:

- Noise

7 APPRAISAL

Principle of Development

- 7.1 Policy SA of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out that when considering development proposals the relevant council will take a positive approach that reflects the presumption in favour of sustainable development contained in the national planning policy framework. Policies S1 and S2 deal with the distribution of development and the settlement hierarchy within the district.
- 7.2 Policy SS1 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals for new development will be directed towards the most sustainable locations in accordance with the District's settlement hierarchy. It also states that new development should be within the settlement boundaries of first, second, third and fourth category settlements, as defined on the proposals maps, in accordance with their scale, role and function unless otherwise indicated in the local plan.
- 7.3 Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out the spatial strategy for rural areas. The policy specifies that development in rural areas will be guided by the rural settlement hierarchy and sets out a list of criteria that will be considered when considering development proposals in rural areas. It also lists a set of requirements for residential developments in rural areas.
- 7.4 Policy EMP4 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals for tourism and leisure development, including tourist accommodation, will be acceptable in accordance with Policy SS1 and where the proposal is within settlement confines. Furthermore, proposals outside of the settlement confines, within the open countryside will be acceptable where the proposed location is essential to the business, it does not adversely affect the vitality and viability of nearby settlements and it complements existing tourism service and facility provision in neighbouring settlements and the surrounding area.
- 7.5 Policy R2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals which sustain and enhance the rural economy by creating or safeguarding jobs and businesses will be supported where they are of an appropriate scale for their location, respect the environmental quality and character of the rural area and protect the best and most versatile agricultural land. The policy then sets out which types of developments are acceptable in this regard.
- 7.6 Policy T5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals for the intensification of uses at Towcester Racecourse involving the development of additional leisure, recreational, tourism and exhibition facilities will be supported, subject to proposals meeting all of the criteria set out in the policy relating to transport impacts, landscape, heritage, PROWs and drainage.
- 7.7 It is noted that several policies in the development plan support the provision and enhancement of built form which contributes to the local economy and attracts visitors to the area. In this case, officers note that the proposed change of use effects an existing building on the racecourse site and would bring an otherwise redundant building back into a use in a flexible fashion, which could respond to future market conditions in a more agile manner, which ensures the longevity of the racecourse site and its associated economic benefits.

- 7.8 Officers have had particular regard to the site-specific policy of T5. Officers note this policy generally supports the intensification of the uses at the racecourse, which would be the case here with securing a recent offering of dog racing in place of horse racing. Officers note the criteria contained in Policy T5 with regard to ensuring the proposed development would not adversely impact the highway network, PROWs, heritage assets, drainage and the wider landscape. Some of these matters are dealt with separately in subsequent sections of this report but, in summary, officers consider that the proposed change of use would not give rise to unacceptable adverse impacts in principle and would comply with the criteria set out in Policy T5.
- 7.9 Planning officers therefore consider that the principle of development is acceptable and would comply with Policies SA, S1, S2, S10, SS1, R1, R2, EMP4 and T5 of the development plan.

Design

- 7.10 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out general principles and criteria for high quality development. Where development proposals contravene any of the criteria of relevance to that proposal, they will be refused unless outweighed by other material considerations. The policy also states that the use of design codes, masterplans or planning briefs will be considered for multi-phased developments to ensure consistency of design approach.
- 7.11 The proposed development includes no physical alterations to the stables or the surrounding area. Officers consider that the change of use subject of this application has not altered the character of the area in terms of the functionality and appearance of the site. However, officers also note that the external paddocks are currently enclosed with Heras fencing which detracts from the appearance of the site; officers have therefore included a condition requiring more suitable fencing to be provided.
- 7.12 The proposed development is acceptable in terms of design and Policy SS2.

Heritage

- 7.13 Policy HE1 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that when considering proposals that affect both designated and non-designated heritage assets and their settings including those identified on local lists, the significance of those assets should first be established by the applicant through a proportionate but thorough and systematic heritage assessment. Such an assessment should be sufficient so as to understand the potential impact of the proposal on the significance of the asset
- 7.14 Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that designated and non-designated heritage assets and their settings and landscapes will be conserved and enhanced. The policy sets out requirements for development in areas of landscape sensitivity and/ or known historic or heritage significance in order to ensure they secure and enhance their significance. The policy states that the retention and re-use of disused or underused heritage assets will be supported as will proposals to sustain or enhance the area's understanding of heritage assets.
- 7.15 Policy HE3 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that applications must seek to protect original or significant designed landscapes, their components, built features and those aspects of setting that contribute to significance. Proposals which seek to restore or reinstate historic landscape features to original designs must be supported by appropriate evidence. Such proposals and those to

better reveal the setting of historic parks or gardens will be supported. Proposals which are considered to cause harm to an historic park or garden require clear and convincing justification and will not be supported unless clear public benefits can be demonstrated that outweigh that harm. Where harm is considered to be substantial those benefits must be exceptional. As part of any permission that is granted, the council may seek the adoption of a management plan to ensure the long-term preservation of the asset, to promote good land management and to encourage best use of resources.

- 7.16 Policy HE5 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals to alter or extend a listed building including its change of use or development within its setting will be permitted where they contribute to the preservation of the building and are not detrimental to its special architectural or historic interest or any features that contribute towards it and are of an appropriate scale, form, massing and design and use appropriate materials and methods of construction which are compatible with the character and construction of the building. Proposals must also have regard to the historic layout of the building and other internal features of significance and preserve the setting being mindful that the setting may extend beyond the immediate curtilage of the building.
- 7.17 It is noted that a heritage statement has not been submitted which fully accords with the requirements of the NPPF. However, officers consider that sufficient information is available for officers to fully understand the significance of heritage assets and thereby reach an informed view.
- 7.18 The stables do not comprise a designated heritage asset themselves whilst also being sited away from the Grade I listed gateway to the racecourse as well as being in the extreme south-east corner of the registered parkland. While the stables are clearly of an age and some heritage interest by reason of their communal value, officers do not consider that this constitutes a heritage asset, non-designated or otherwise.
- 7.19 The site lies near to the Grade I listed gateway at the entrance to the site from the A5. The significance of this designated heritage asset is largely derived from its visual interest as well as historic interest by reason of its elaborate and interesting appearance and its serving as a landmark in the town and demarking the historical entrance to the site.
- 7.20 The proposed development would have a neutral impact in this regard since the characteristics of the proposed use would be largely similar to the existing lawful use of the site and would thereby not materially impact its setting.
- 7.21 The site lies in the south-east corner of the Grade II* registered park of Easton Neston. The park retains much of its axial east avenue albeit the section between the house and a 500m long canal have been removed. East of the canal the avenue, now double, survives and extends eastward for a further 1km; this avenue is a key feature of the park and its overall significance. The Shutlanger / Heathencote Road marks the edge of the main part of the registered park although the axial avenue extends further east beyond the extent of this site. Parkland planting survives mainly to the west of the canal with hedgerows and coppices forming the main landscape features in the eastern extent of the park. The setting of the park is largely rural, this has the effect of the designed landscape blending into the wider landscape; this setting makes a limited but positive contribution towards overall significance.
- 7.22 Officers consider that the proposed change of use has had a neutral impact on the setting of this heritage asset since there has been no physical alteration to the site

while the function and appearance of the site remains much the same as when the stables were solely used as such.

- 7.23 Considering the above, officers consider that the proposed development would not give rise to harm to heritage assets and would comply with Policies HE1, HE3, HE5 and BN5 of the development plan, S66 and S72 of the Planning (LBCA) Act 1990 and the requirements of the NPPF.

Neighbouring Amenity

- 7.24 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that developments must not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through noise, odour, vibration, overshadowing or result in loss of privacy, sunlight daylight or outlook, unless adequate mitigation measures are proposed and secured.
- 7.25 Policy BN9 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities. This includes reducing the adverse impacts of noise
- 7.26 There are no neighbours within the immediate vicinity of the site which have been impacted by the proposed change of use; however, there are dwellings within a moderate distance of the site with dwellings in Towcester being some 130m distant and dwellings at Heathencote being 400m away from the stables. These are sensitive uses which are susceptible to noise and disturbance and officers have therefore carefully considered this issue.
- 7.27 The proposed development has not led to any physical alterations to the site that have affected the amount of daylight neighbours received nor has it given risen to unacceptable overbearing or a loss of privacy.
- 7.28 Officers have had particular regard to the issue of noise. A single dog barking can give rise to a statutory nuisance and officers have therefore carefully considered the impact that kennels on the site may have on nearby sensitive receptors. Planning officers have worked closely with Environmental Health Officers throughout the consideration of this application, given that they are technical experts on such matters.
- 7.29 The Environmental Protection Team have received complaints of dog barking; albeit the last complaint was in 2020. None of the complaints were substantiated at the time or since as being a statutory nuisance.
- 7.30 A noise study has been submitted as part of this application; following several revisions, environmental health officers are satisfied that the study fully assessed potential sources of noise and follows best practice. The study found that the maximum noise level that would likely arise as part of the use of the site as kennels fell below the relevant standards, apart from Sunday mornings where any exceedances were very limited.
- 7.31 Officers note the dogs on site at present largely remain quiet throughout the day, since they reside within the stables, often with the door partially shut for much of the day and fully shut throughout the night, while barking largely only occurs at when they are being

fed or exercised. This is supported by the findings of the noise study as well as through officers' visit to the site.

- 7.32 Officers have carefully considered the findings of this study and consider that the use of the site as kennels in itself is unlikely to give rise or has given rise to an unacceptable level of noise and disturbance that would result in substantiate grounds for refusing the application on these grounds. Officers also note that no noise abatement notice, or similar, has been served on the site since the commencement of the use in 2019. In the interest of ensuring noise levels stay within an acceptable range, officers have included a condition ensuring that the stipulations of the submitted noise management plan are obeyed throughout the lifetime of the development.
- 7.33 It should be noted that should issues arise with regard to noise, the Council would remain in a position to take action to both enforce the terms of the noise management plan as well as through separate regulatory bodies to ensure the use does not give rise to unacceptable nuisance.
- 7.34 Officers have had regard to the potential of the site to give rise to unacceptable odour which could impact the amenity of the surrounding uses. While it is noted that kennels do typically result in some odour impacts resulting from the keeping of so many dogs in close proximity as well as due to their waste, officers consider that this would be no worse than would be possible under the existing lawful use of the site as stables which is comparable in terms of potential odours. Furthermore, the Noise Management Plan includes odour mitigation measures, to minimise odour associated with the kennels.
- 7.35 Officers consider that the proposed development does not give rise to an unacceptable level of noise and disturbance and would therefore accord with Policies SS2 and BN9.

Highways

- 7.36 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states planning permission will be approved where developments include a safe and suitable means of access for all people (including pedestrians, cyclists and those using vehicles). Developments must also take into account existing or planned social and transport infrastructure to ensure development is adequately served by public transport or is in reasonable proximity to a range of local facilities which can be reached without the need for private car journeys.
- 7.37 Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.38 Paragraph 116 of the NPPF states that planning decisions should ensure that appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location, safe and suitable access to the site can be achieved for all users, the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and that d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.39 The proposed use does not include any alterations to the access to the site or car parking on the site which would remain unaltered. While it is noted that the number of animals on site has increased compared to the when the site lawfully operated as

stables, it is considered that this alone has not led to an increase in car journeys to the site which has placed undue pressure on the local highway network or any other severe impacts or highways safety concerns

- 7.40 The proposed development is therefore acceptable in terms of highways and Policy SS2.

Other Matters

- 7.41 Officers note that the application suggests that dogs are exercised across the wider racecourse site, including areas outside of the red line of the application site. Officers consider that this would not give rise to additional impacts on the character or appearance of the site or on neighbouring land uses, given the enormity of the site and the distance to neighbouring dwellings. Officers therefore consider that this does not need to form part of this application and the red line denoting the application site does not need to be extended to accommodate all areas where dogs may be exercised.

8 FINANCIAL CONSIDERATIONS

- 8.1 CIL is not liable. No financial contributions are being sought.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 Officers consider that the principle of development is supported in the policies of the local plan supporting a vibrant rural economy as well as those economic activities which may attract visitors to the area. This would all be while having an acceptable impact in terms of the visual amenity of the area and in terms of heritage assets. While officers note there are concerns with regard to noise and disturbance resulting from the proposed use, officers are satisfied that these have been robustly assessed by the applicant and by the Council's own technical specialists and are satisfied that the proposal would be acceptable in this regard. Finally, the proposed use would have no additional highways impacts compared to the lawful use. Overall, officers are satisfied that the scheme accords with the relevant national and local policies and guidance and should be approved.

10 RECOMMENDATION AND CONDITIONS

- 10.1 To grant permission subject to conditions as set out below with delegated authority to the Assistant Director for Planning to approve any amendments to those conditions as deemed necessary.

- 10.2 A full list of conditions is provided below:

CONDITIONS:-

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

21.046 101b Site Plan & Site Location Plan
21.046 102d Existing Floor Plans
21.046 103a External Elevations
21.046 104c Internal Elevations

All received 22/05/23

Reason : To clarify the permission and for the avoidance of doubt.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

3. The premises must be operated in accordance with the agreed Noise Management Plan December 2023 V3. Any amendments to the agreed Noise Management Plan must be approved by the Local Authority.

Reason: In the interest of safeguarding residential amenity with regard to noise in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014

4. Prior to the commencement of works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the Local Planning Authority and thereafter carried out in accordance with the approved details.

Reason : To ensure the PROW would not be unacceptably impacted by the proposed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Government guidance in Section 12 of the National Planning Policy Framework.

5. Within 6 months of this permission, additional drawings shall be submitted to and approved in writing by the Local Planning Authority showing permanent fencing enclosing the outdoor kennels and associated external areas. The approved fencing shall then be installed within 6 months of the drawings being approved

Reason : To ensure the character and appearance of the racecourse would not be unacceptably impacted by the proposed development in accordance with Policies SS2, HE5 and HE6 of the South Northamptonshire Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy 2014.

INFORMATIVES:-

1. No works affecting any existing public right of way may commence without the express written permission of the local highway authority's Rights of Way or Definitive Map Teams.
2. The developer is reminded to apply to the local planning authority for any proposed permanent diversion of a right of way under Section 257 of the Town and Country Planning act 1990 required to facilitate the development of WNS/2022/0829/MAF . The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.

