

## **Agenda Item 9**

### **S26/0065**

**Proposal:** Change use of dog exercising field to include doggy day care

**Site Address:** Maggie's Mates, Holywell Road, Carlby, Lincolnshire, PE9 4LX

### **Summary of Information Received:**

Following publication of the main Committee Report, a further representation has been received from the Parish Council stating the following;

"In the public reports for the meeting, there is an error that the committee should not vote on until the issue has been explained and clarified correctly. Which I will do as follows.

1.1.5 It should be noted that the 'Doggy Day Care' Business to the front of the site has permission Section 73 application S24/0092 to vary condition 4 (Noise Management Plan/No.of dogs) of S20/0479 (use of land for doggy day care centre, erection of building, driveway and hardstanding) variation is to increase number of dogs allowed on site at any one time from 20 to 40

- Permission for 40 dogs in 'Doggy Day Care' to be allowed on the site at any one time
- 07:30hrs - 18:00hrs on Mondays to Fridays ii) 09:00hrs - 14:30hrs Saturdays and Sundays (and Bank Holidays)

#### 2 Description of the Proposal

2.1 This application is a full planning application and seeks planning permission to change the use of the dog exercising field to include doggy day care.

2.2 The application would allow the site (Field B) to have a total of 20 dogs on the site.

Operating hours are to be the same as the existing dog day care use to the south, which operates

- 0730-1800 Mondays to Fridays. On weekends and bank holidays, the field would continue to be available for dog walking use by members of the public between 0730-1800.

It can be correctly read in 1.1.5 that the operating hours for the south field of Dog Day Care under permission S24/0092 is 07:30hrs - 18:00hrs on Mondays to Fridays ii) 09:00hrs - 14:30hrs Saturdays and Sundays (and Bank Holidays). not as claimed by this proposal, which operates 0730-1800 Mondays to Fridays

The reason not to allow dog day care to operate beyond these times is for residents to have some peaceful time on a Saturday, Sunday and Bank holiday afternoons. The field B should not be used by anybody outside of these times as by approval of this application, it becomes an integral part of the Dog Day Care operation.

Do not be fooled the number of dogs to be licensed under dog day care is increasing from 40 to 60. Day care is completely different from hourly dog walking!

It has been muted from the planning officer that: It is incorrect to state that the current application could be implemented and for S23/0922 remain in place. The current application and S23/0922 cover the same field and, therefore, only one permission could be implemented at any time?

Here it is stated the proposal is for both permissions to continue S23/0922 and if approved S26/0065 the field would continue to be available for dog walking.

The PC has received past complaints, due to residents not wishing to give their names for fear of reprisals; these complaints did not reach the SKDC official complaints process. The enforcement officer visited the

site to enforce the conditions, as there was condition abuse during 2022/23, which caused considerable issues at the time.

We are fed up with people (who know nothing of the mitigation of Dog Day Care noise) bringing their dogs to bark in Carlby in the afternoon on Saturday, Sunday and Bank holidays when we have a right to peace and quiet outside of the operating hours of Dog Day Care”.

### **Officer Comments**

Noting the comments received from the Parish Council, it is Officer’s assessment that the main Committee Report does accurately describe the existing lawful use of the site and the proposed development. The existing lawful use of the site is a material planning consideration, and it is appropriate for the application to be assessed against this fallback position.

In respect of the complaints about the current operations, as set out within the main Committee Report, the Environmental Protection team and Licencing Team have confirmed that they have not received any complaints about the operation of the business.

As such, the recommendation to Members remains as follows:

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to the conditions

**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**