



## NOTICE OF DECISION

### TOWN & COUNTRY PLANNING ACT 1990 FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

**NORTH YORKSHIRE COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED SUBJECT TO THE CONDITIONS STATED BELOW:**

**Application No:** ZE23/01937/FUL

**Proposal:** Siting of a wooden building to use as a dog grooming business (retrospective application)

**at:** 29 Windmill Avenue Kirkbymoorside North Yorkshire YO62 6FG

**for:** Mrs Amanda Rawson

**Decision Date:** 3 November 2023

### **REASON FOR APPROVAL**

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework  
National Planning Practice Guidance

### **CONDITIONS AND ASSOCIATED REASONS**

01 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, scanned to file 16.08.2023

Shed Plan, scanned to file 16.08.2023

Parking Plan, scanned to file 11.10.2023

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

02 The facility shall be operated with a prior appointment time slot system (no ad hoc customers) with a maximum of 2 customers per day and maximum of 2 dogs per customer.

Reason: To ensure that the amenities of nearby residents are not unreasonably affected.

03 During the hours of 09:00 to 17:30 Monday to Friday and 09:00 to 13:00 on Saturdays the operator shall ensure that a parking/drop off/collection space is kept available for customers.

Reason: To ensure that the space is kept available for their intended use in the interests of highway safety and the general amenity of the development.

04 The proposal shall be undertaken in full accordance with the Parking/Transport Plan received by the Local Planning Authority on 11 October 2023, including the following requirements. Any variation to this approved document shall require the prior written approval of the Local Planning Authority via a further formal planning application:

1. No more than one member of staff shall work within the dog grooming shed (known as Country Dogs) which with this permission is allowed at any one time.

2. There shall only be one dog in the grooming facility at any one time unless two small dogs from the same household if they suffer from separation anxiety.

3. The operator of the dog grooming facility (known as Country Dogs) shall be the owner/occupier of the property known as 29 Windmill Avenue (and no other person).

4. Within the prescribed hours of operation (below), no parking on Windmill Avenue shall be undertaken by any person visiting the dog grooming business.

5. Appointments in connection with the dog grooming business (known as Country Dogs) will be strictly on a pre-booked basis only, scheduled so that there is no overlap of clients.

6. Client's using the facility shall park within the single space allocated to the business known as Country Dogs in operation at 29 Windmill Avenue. A small sign can be used to direct clients to the parking space.

7. An appointment diary shall be maintained on a daily basis at all times and shall be made available for inspection to an officer of the Local Planning Authority on request for compliance checks.

8. The appointments shall only be booked between the hours of 09:00 to 16:30 Monday to Friday, with no use of the facility beyond 17:30 hours and between the hours of 09:00 to 13:00 hours on Saturdays. There shall be no use of the business on Sundays and Public Holidays.

9. Should the business (known as Country Dogs) cease to be operational then within 3 months of the date of the decision, all paraphernalia associated with the business within the grooming shed (including signage) shall be removed from the site.

Reason: In the interests of the amenity of existing and future occupiers and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

05 The approved use of the building (shown on the Shed Plan, scanned to file 16.08.2023) shall be specifically restricted to a dog grooming parlour and for no use other than a use incidental to the enjoyment of the dwellinghouse. No activity relating to the operation of the business such as the exercising or holding of dogs shall be undertaken within the host dwelling or associated domestic curtilage.

Reason: In the interests of the amenity of existing and future occupiers and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

## INFORMATIVE(S)


- 01 Please note that procedures should be put in place to minimise disturbance from barking etc. This might include a questionnaire to new clients about the dogs' temperament and need for comfort items. A register of client's contact details is recommended for animal health and welfare reasons.
- 02 All discharge to the public sewer must comply with Section 111 of the Water Industry Act 1991. The wastewater shall not contain any matter likely to injure any public sewer or any sewer or drain communicating with a public sewer, or to interfere with the free flow of its contents, or to affect prejudicially the treatment and disposal of its contents.
- 03 The applicant should make arrangements for the disposal of commercial waste by an accepted route.

*In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Planning Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.*

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NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.

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Trevor Watson  
Assistant Director – Planning

**Date: 3rd November 2023**

Mrs Amanda Rawson  
C/O Cheryl Farrow (Cheryl Ward Planning)  
24 Westfield Mews  
Kirkbymoorside  
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YO62 6BA

## NOTES

This is an approval under the Town and Country Planning Act only.

**YOUR RIGHTS OF APPEAL ARE AVAILABLE AT [www.northyorks.gov.uk/planning](http://www.northyorks.gov.uk/planning)**