

# Planning Committee

## Appeal Decisions

### The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City Council:-

Application Number	Planning Compliance Case 12/00417/OPR		
Appeal Site	270 Ringmore Way, West Park, Plymouth, PL5 3RL		
Appeal Proposal	Appeal against a planning enforcement notice alleging unauthorised change of use from a single dwelling to a mixed use as a dwelling and as premises for Cat Keeping and Cat Breeding.		
Case Officer	Mrs Niamh Ashworth		
Appeal Category	Enforcement Notice		
Appeal Type	Written Representations		
Appeal Decision	Appeal Dismissed		
Appeal Decision Date	30 June 2014		
Conditions	None, as appeal dismissed, but the period for compliance with the Notice extended from 6 months to 12months.		
Award of Costs	No costs application submitted by either side.	Awarded To	None awarded

#### Appeal Synopsis

This is a modest two-storey semi-detached house that has been used by its owner for approximately the last seven years as their home and for the breeding and keeping of a very large numbers of cats. The number of cats kept at the property has fluctuated over time, but has been as high as 60, with the average being about 30. The owner of the property is a breeder of a specialist type of cat, and sells cats that are bred for this purpose. The keeping and breeding of this number of cats is not regarded as being incidental to the residential use of the dwelling, and as such this level of cat breeding and cat keeping activity requires planning permission from the Council.

This cat breeding and keeping activity has given rise to complaints from neighbouring residents with regard to odour and smell problems, and the Council's Public Protection Service has been active in seeking to alleviate these problems. In May 2012 an Abatement Notice was issued on the owner, but unfortunately this failed to secure a necessary improvement. In line with Central Government advice, and this Council's planning compliance protocols and procedures, significant efforts over a significant period of time have been made to secure a voluntary resolution to the problems giving rise to neighbour complaints. Again, as with the PPS action, this failed, and as a 'last resort' a Planning Enforcement Notice was issued requiring this unauthorised activity to cease.

An appeal was lodged against the Notice and after visiting the premises the Planning Inspector agreed that the Notice was justified and appropriate, and has upheld its requirements. The Inspector has stated that the property must not be used for the keeping of more than 5 (five) cats at any one time after 30 June 2015. This is to allow the owner adequate time to scale down her cat breeding and keeping activity, and find alternative homes for cats where necessary.

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