



**REPORT of
DIRECTOR OF PLACE, PLANNING AND GROWTH**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
11 FEBRUARY 2026**

Application Number	25/00857/FUL
Location	Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR
Proposal	S73A application for change of use of part of rear garden for cattery business; erection of 2 No. catteries measuring 6.4m x 3.9m (one cattery already constructed)
Applicant	Mr & Mrs Castle
Target Decision Date	13 February 2026 (Extension of Time)
Case Officer	Matt Bailey
Parish	St Lawrence
Reason for Referral to the Committee / Council	Departure from Local Plan

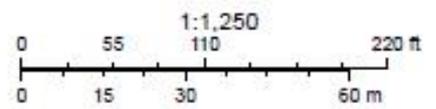
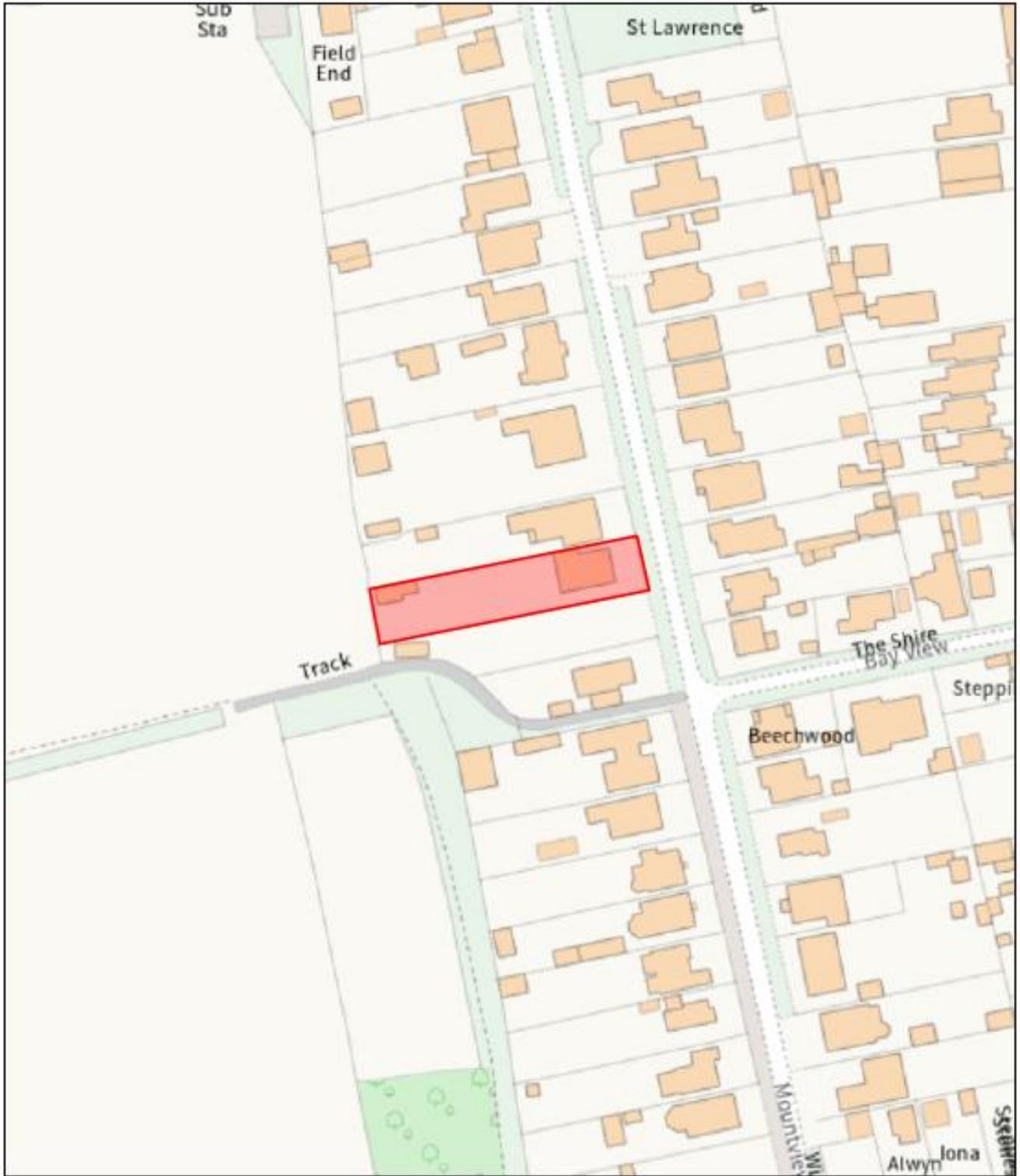
1. **RECOMMENDATION**

APPROVE for the reasons as detailed in Section 8 of this report.

2. **SITE MAP**

Please see below.

25/00857/FUL



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application comprises a detached single storey residential property located on the western side of Mountview Crescent, within the settlement of St Lawrence. The majority of the site lies within the defined settlement boundary, with the rear section of the site (containing the proposed cattery structures) positioned just outside of the settlement boundary.
- 3.1.2 The area is predominantly residential in character, with surrounding properties being similar in style and scale to the application property. The site is situated within a rural residential area with open fields to the rear (west).
- 3.1.3 Planning permission is sought for a cattery business located to the rear garden of the property. The development comprises an existing building and would also involve the construction of an additional building, to be used to accommodate the cattery business. The business would be operated by the owner of the property. The use of the existing building has been put on hold pending the outcome of this planning application. The applicants are experienced in the cattery business having previously run larger cattery business in Rainham, Kent.
- 3.1.4 The cattery structures are of timber construction, each measuring 3.9m deep by 6.4m wide and with a mono-pitched roof at a height sloping from 1.8m-2.2m. Each cattery would accommodate up to ten cats during use, albeit it is indicated that in usual circumstances usage would be much lower.
- 3.1.5 The cattery is operated as a small scale home business with the majority of customers using a collection service provided by the applicant, but in some circumstances dropping off the cats to Mountview Crescent. Where such instances may occur, a booking is required to ensure that no more than one customer is in attendance at the site at any one time.
- 3.1.6 The business would be run on this appointment only basis with a maximum opening time of 4 hours per day Monday to Saturday only, and during non-peak times (10am–12pm and 2pm–4pm) to ensure minimal impact on local traffic. The applicant has advised that the anticipated number of customers visiting the site would be in the order of one or two visitors every other day.
- 3.1.7 All bookings and payments are made online and by telephone with paperwork completed electronically. On making an appointment, each owner is provided with a confirmation email which confirms the time and date of the appointment. The day before another email is sent to customers reminding them of their appointment time, address and where they can safely park (driveway).

3.2 Conclusion

- 3.2.1 The proposed cattery use would not harm the appearance or character of the locality as it would be contained within the curtilage of the site and operated as a home

business, ancillary to the residential use of the site. The cattery structures themselves are domestic in appearance, limited in scale and are considered appropriate to a residential garden in terms of their design.

- 3.2.2 The applicant has demonstrated that use is not likely to result in any adverse noise impacts and as such there is unlikely to be an impact on the amenities of adjoining residents by way of excessive noise and disturbance – this is in any event to be controlled by way of a Noise Management Plan. Any customer visits to the site would be restricted to one at any time, with time restrictions – which would prevent any adverse parking conflicts. The scale and impact of the development is considered to be minimal and therefore, there are no objections in relation to the business use. The proposal is therefore in accordance with the relevant policies set out in the Local Development Plan.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-130 Making effective use of land
- 131-141 Achieving well-designed places

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD
- Maldon District Vehicle Parking Standards SPD

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises the approved Local Development Plan (LDP).
- 5.1.2 The Council's LDP contains clear policies regarding the location of employment uses. Policy **E1** explains that *"new employment development will be directed to the District's main settlements, existing employment sites and designated areas, in order to promote sustainable patterns of growth and reduce the need to travel by private car."*
- 5.1.3 Similarly, Policy **S8** seeks to protect the countryside from inappropriate forms of development, stating that *"the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. Outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission will only be granted for development in the countryside where it is for a use identified within the policy."*
- 5.1.4 In this case, only part of the application site lies outside of the settlement boundary – with the proposed cattery structures themselves being located in this section of the site and the main house located within the settlement boundary. Therefore, a balanced approach should be taken to assessing the impact of the proposed business in terms of policies E1 and S8.
- 5.1.5 The application site is located within a residential area. The proposal relates to a cattery business operated by the owner occupiers of No 81 Mountview Crescent – and as such comprises a home business, ancillary to the main residential use of the property. The NPPF states *"Planning permission will not normally be required to home work or run a business from home, provided that home working or a business use is incidental to the use as a dwellinghouse."* The proposed cattery structures in this case are limited in scale and based on evidence submitted with the application would not result in a significant number of vehicular trips so as to be considered a standalone business use to the rear garden. The proposal is therefore considered to be ancillary to the main residential use of the site.
- 5.1.6 The proposed cattery would therefore not result in any harm to the character or surrounding area and would be supported in principle, subject to conditions restricting the use of the structures as ancillary to the main dwelling, and compliance with the submitted noise management plan.

5.2 Impact on Residential Amenity

- 5.2.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking,

outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the Maldon District Design Guide (MDDG) (2017).

- 5.2.2 Whilst the proposed cattery buildings are located to the far end of the rear garden of the property, consideration must be given to the potential impact of the proposed development in terms of residential amenity – notably in terms of possible noise impacts and the effect of comings and goings associated with the business use.
- 5.2.3 The applicant has provided a Noise Assessment Report and associated Noise Management Plan (NMP) as part of their submission. It is noted that there is no applicable standard for assessing pet noise, and that proposals for catteries (unlike kennels) are rarely considered to result in high noise levels – evidence has been submitted supporting this point.
- 5.2.4 Notwithstanding the limited likelihood of any noise disturbance caused by the cattery business, the submitted NMP provides clarification on procedures which will prevent any potential noise at the site, including use of doors /windows and ventilation, drop-off/collection protocols at the site via a booking system at specific times of the day, and cleaning/maintenance routines.
- 5.2.5 The limited size and design (timber shed like structures) of the cattery units would not result in any harm to neighbouring properties in terms of loss of daylight to garden spaces – likewise it is not considered that the direct route through the garden to the catteries for collection/drop off procedure would result in any amenity harm, subject to compliance with the NMP.
- 5.2.6 Therefore, subject to conditions, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of Policy D1 of the LDP.

5.3 Access, Parking and Highway Safety

- 5.3.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regards to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas.
- 5.3.2 The application property benefits from off road parking for 2-3 vehicles to the front driveway. The applicant's submitted information (together with the submitted NMP) state that, as part of the service, the majority of cats which are accommodated within the catteries would be collected/dropped off to the pet owner's address, as opposed to being collected/dropped off by their owners at the application property. Any customers wishing to drop off/collect at Mountview Crescent would only be able to do so by way of an online booking system, which would ensure that no more than one customer would be in attendance at the site at any one time. Opening hours for this are also limited to 10:00am–12:00 noon and 2:00pm–4:00pm and at no time on Sundays or Bank Holidays.

- 5.3.3 Delivery of cattery goods (food/litter) would be combined trips and would only take place one every two weeks – again limited to the operating hours above.
- 5.3.4 The applicant has also provided trip generation data for their previous (slightly larger 17 room) home cattery business in Rainham which shows an average of 2.4 check-ins per day with 9-16 day stays. Given the more rural setting of St Lawrence the applicant considers that the number of visitors per day is likely to be lower than at their previous property since customers are more likely to use the pet taxi service for home collection/drop-off.
- 5.3.5 Given the likely limited number of vehicles attending the site on any one day, and the availability of parking space to the front driveway, it is not considered the proposed cattery business would result in demonstrable increase in car parking that would cause harm to the local area. Therefore, the development would be acceptable in terms of parking and highway safety.

6. **ANY RELEVANT SITE HISTORY**

No other planning history relating to the site

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
St Lawrence Parish Council	St. Lawrence Parish Council Oppose this development. Noting the application is against the LDP. It is in an unsuitable position. No catteries within MDC are within settlement boundaries. They are in rural areas well removed from other dwellings which reduces nuisance. There is no evidence of need for a cattery in the village - the local model for cats is that neighbours care for cats when owners are away - on a reciprocal basis. This is a village house with an average size garden but the proposal would see a large part of that garden taken over by a commercial operation. There is no precedent for such a development within the village. There are at least 5 very large dogs' resident at the property. Insufficient offroad parking which means customers would be parking on the unmade and unadopted road which is maintained by residents. There does not seem to be any recognition of this. St Lawrence has just one road in and	Noted – principle of development addressed in section 5.1. Anecdotal comment regarding need for cattery (and neighbours looking after each other's cats) versus the evidence submitted by the applicant.

Name of Parish / Town Council	Comment	Officer Response
	<p>additional traffic to serve a business that is not for the benefit of the community can only add to the general misery for residents. The, very sketchy, plans show two buildings each to house 5 cats (both already erected). The buildings are just wooden sheds and were put up in about a day.</p> <p>The planning application does not give enough information to indicate the size of the individual pens but it appears that they would not meet the current welfare standards for boarding catteries in terms of size, zones, heating etc. The regulations for catteries indicate that the latest standards for welfare apply to any new development - which this would be. Part of the site is within a flood zone but no flood risk assessment is included. There is also a watercourse at the end of the garden which serves as a drainage ditch</p>	<p>Animal welfare issues raised not a planning consideration, however it is noted that a 3 year licence for the operation has been obtained from Environmental Health.</p>

7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to compliance with Noise Management Plan	Noted

7.3 Site Notice / Advertisement

- 7.3.1 The application was advertised by way of a site notice posted on the 4 November 2025 (with an expiry date for comments set at 20 November 2025). The notice was affixed in a prominent position to the nearest telegraph pole to south of the property along Mountview Crescent.
- 7.3.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on the 30 October 2025 (with expiry date for comments set at 20 November 2025).

7.4 Representations received from Interested Parties (*summarised*)

- 7.4.1 One letter was received in support of the application, highlighting the need for the cattery in the local area as an essential service, the misconception of possible noise and disturbance, the limited trips it would generate.

- 7.4.2 An online petition of 43 signatures has also been received in support of the application.
- 7.4.3 No other third party objections have been received.

8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be carried out in accordance with the approved plans as shown on the decision notice.
Reason: To ensure that the development is carried out in accordance with the details as approved.
- 2 The cattery business use hereby approved shall be carried out only within the two cattery structures as identified on approved Location Plan drawing no. Block Plan L02, and shall be used solely in connection with and ancillary to the residential use of the dwellinghouse known as Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR. The structures shall not be used as separate planning units or for any other commercial purpose (including any use within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to the Class in any statutory instrument revoked and re-enacting that order. For the avoidance of doubt, the buildings shall not be let, rented, managed or sold independently to the main dwelling.
Reason: To ensure that the development remains ancillary to the residential use of the dwellinghouse and does not result in an independent commercial use, and to satisfactorily protect the residential amenities of nearby occupiers and the visual amenity of the surrounding countryside to comply with Policies D1 and S8 of the Approved Local Development Plan.
- 3 No separate or additional access, hardstanding, boundary fences or curtilage shall be formed to create a distinct plot separation to the main dwelling of Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR.
Reason: To ensure that the character of the site itself and the countryside of which it forms part, are protected by ensuring the Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR, in compliance with Policies D1 and S8 of the Approved Local Development Plan.
4. The cattery business hereby approved shall be operated in accordance with the approved Noise Management Plan submitted as part of the application.
Reason: To protect the amenities of the neighbouring properties in accordance with Policy D1 of the Approved Local Development Plan

INFORMATIVES

All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team via email at development.management@essexhighways.org