HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Development Control
FROM:	Environmental Health and Licensing
REFERENCE:	DC/25/0330
LOCATION:	Deercopse, Guildford Road, Clemsfold, West Sussex, RH12 3PW
DESCRIPTION:	Retention of kennels housing applicant dogs and noise mitigation and adapted measures to buildings (Retrospective)
RECOMMENDATION:	Objection

MAIN COMMENTS:

In June 2024 the Environmental Health and Licencing Department at Horsham District Council (HDC) received complaints in relation to dog barking from Deercopse. Following a number of periods of noise monitoring, both by way of officer visits to the complainant's property and the use of noise monitoring equipment in August 2024 and October 2024, it was apparent that there were approximately 30 dogs at the property and we were satisfied that the complaint warranted formal intervention from HDC.

Following consultation with HDC's Legal Services, consultation which has continued to date, it was decided that a Community Protection Warning (CPW), under the provisions of the Anti-social Behaviour, Crime and Policing Act 2014, should be served on the residents of Deercopse. In January 2025 a CPW was therefore served on the residents of Deercopse. The CPW detailed a number of measures that needed to be implemented to reduce the level of the dog barking, some of the measures were immediate and some of them had longer timescales.

Following the passing of the last deadline stipulated in the CPW officers from Environmental Health recently visited Deercopse and it was apparent that a number of the measures detailed in the CPW had not been implemented. In particular it was apparent that there still approximately 30 dogs present at the property.

We also note that information has been provided in support of the application and we have provided comment on this below:

<u>Noise Management Plan dated February 2025</u>

1. We have reviewed the above-mentioned NMP and unfortunately there are a number of matters that we have concerns with, in particular the suggestion that the numbers of dogs will be kept as a maximum of 30.
2. Whilst the measures detailed in the CPN may help to reduce the noise levels the main driver for complaints has been the very large number of dogs present at the property.
3. With the above in mind the Community Protection Warnings (CPW) served on the residents of Deercopse, as detailed above, stated that the number of dogs at the property should be significantly reduced and as we have been led to believe that the current numbers of dogs are around 30, this means significantly reducing the number below 30. This therefore needs to be reflected in the NMP.

<u>Sound Barrier Solutions Noise Impact Assessment and Mitigation Design dated November 2024</u>

1. From reviewing section 2.10 we note that The Chartered Institute of Environmental Health (CIEH) guidance document 'Clay Target Shooting: Guidance on the Control of Noise' has been referenced. Whilst we appreciate that there is no formal guidance on noise from dog barking and, as also referenced in the report, BS:4142 is not applicable to this situation. However, taking into account the times when the barking takes place and the character of the noise associated with dog barking we are concerned that the target levels in the CIEH guidance may not fully reflect the impact on the noise sensitive receptors.
2. We understand that there are currently c.30 dogs on the premises, it is however not clear how many dogs were barking when the monitoring took place.
3. From reviewing section 3.2 we also not the following is stated 'Audio recordings of 30 minute duration were also made starting at 18:00, 00:00 and 06:00 at both monitoring positions for source identification (of barking). Examination of each of these found the greatest intensity of barking occurring from 18:00 to 18:30 with virtually none at 00:00 and significantly less at 06:00. The 30 minute period form 18:00 was therefore assessed as the worst case scenario during which dog baring occurred during specific short term bursts'. From our monitoring to date we would say that the most intensive barking occurs outside of the 18:00, 00:00 and 06:00 monitoring times.

4. We also note the comment in section 6.1 'the dog barking tends to be confined to short bursts (lasting typically for about 30 seconds to a minute). During a 30 minute period this corresponded to about 10-15% of the total time'. Recordings we have indicate that the barking can be more sustained than was recorded during the monitoring period to support this report.
5. From our comments in sections 2, 3 and 4 above we are therefore not convinced that the monitoring is sufficiently representative and has captured 'worst case'.

Summary

Given the non-compliance with the CPW, as detailed above, the lack of sufficient detail in the above-mentioned supporting information and, crucially, the continued impact from the dog barking on nearby residents Environmental Health are not in a position where we can support this application and recommend it for refusal.

Suggested Conditions

N/A

NAME:	Kevin Beer
DEPARTMENT:	Environmental Health and Licensing
DATE:	08/05/2025