

REFERENCE NO: 22/505670/FULL		
APPLICATION PROPOSAL: Change of use of stable yard and paddock to (commercial) operate a dog day care facility including the erection of fencing/gate, siting of additional shed and associated parking.		
ADDRESS: Land with stables and caravan (aka 'Land at Paddock') Maidstone Road, Paddock Wood, Kent, TN12 6PY.		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions in Section 8 of this report and subject to no new material considerations being raised because of the departure press notice expiring on the 27 July 2023.		
SUMMARY OF REASONS FOR RECOMMENDATION:		
<ul style="list-style-type: none"> • The proposal is acceptable in relation to the minimal level of harm that will be caused to the character and appearance of this rural area. The proposal is acceptable in relation to heritage impacts, neighbour amenity, and biodiversity. The access and parking arrangements, together with the impact on the Public Right of Way are all acceptable. • The application brings a vacant equestrian site back into beneficial use and supports the aims of NPPF and the Local Plan in achieving a prosperous rural economy. • It is concluded that these material considerations indicate that planning permission should be approved. 		
REASON FOR REFERRAL TO COMMITTEE:		
<ul style="list-style-type: none"> • The officer recommendation is contrary to the views of Yalding Parish Council. • The application is a departure from the development plan. 		
WARD: Marden And Yalding	PARISH COUNCIL: Yalding	APPLICANT: Paws and Claws Kent
CASE OFFICER: Tony Ryan	VALIDATION DATE: 03/01/23	DECISION DUE DATE: 29/07/2023
ADVERTISED AS A DEPARTURE: Yes		

Relevant planning history

- 11/0279 Erection of an agricultural steel barn approved 20.07.2011
- 12/0168 Change of use of land for the keeping of horses and erection of private stables and hay store. (Site included the current application site and additional land to the southern field boundary) Permission refused 05.04.2012 on the grounds that:
 - *"Inadequate provision has been made for the security of the animals to be kept on the site"... and the granting of permission for this use in the absence of such security is likely to lead in the future to pressure for accommodation to be provided on the site, which is located in the open countryside".*
- Appeal against refusal of 12/0168 allowed and permission granted. The appeal inspector noted that the main issue was whether the proposal would result in adequate provision for the security and safety of the horses on the site. The appeal inspector noted:

- The support in the NPPF for "...the sustainable growth and expansion of all types of business and enterprise in rural areas lending support to a thriving rural economy".
 - The Inspector considered "...that the appellant would be able to satisfactorily supervise the security and safety of the horses and the site".
- 22/504926/PAMEET Pre application advice in respect of "To ensure the correct permissions are in place in order to continue with our business plan to relocate our established dog day care business to this location".

Application site context



MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site is in the open countryside as designated by the Maidstone Borough Local Plan 2017. The site has no special landscape designation. The lawful use of the land is equestrian as approved by the allowed appeal on application 12/0168.
- 1.02 The site is located to the north of the Paddock Wood settlement, 160 metres north of the the borough boundary with Tunbridge Wells and on the west side of Maidstone Road (B2160). The site is circa 300 metres south of the roundabout junction with the A228 (Whetsted Road) which also provides access to the 'Hop Farm'. In the west beyond an adjacent piece of land is Old Whetsted Road with the A228 (Whetsted Road) beyond to the west.
- 1.03 The east side of Maidstone Road in this location has noticeably more development than the west side where the current site is located. This development includes the business park, Forstal Park located to the north east. Several residential dwellings are located to the south of Forstal Park, set back from Maidstone Road

behind a stream and two ponds. These buildings include Beltring House and Oast House which are grade II listed.

- 1.04 The application site (0.8 hectares) has existing vehicular access to Maidstone Road in the north east corner with an area of hardstanding and a single storey stable block ('L' shaped footprint circa 10.8 metres by 6.2 metres, roof eaves 2.2 metres, roof eaves 3 metres). The remainder of the application site is open land. The applicant reports that *"...the wider land has been split into a number of smaller paddocks, divided by timber fencing"*.

Site access and boundary looking south along Maidstone Road.

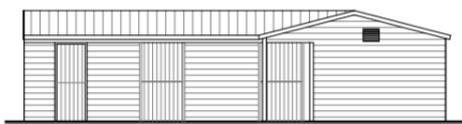


- 1.05 A track runs along the northern edge of the site joining Maidstone Road with Old Whetsted Road in the west. This track is also a public footpath (KM41). Mature trees and shrubs are next to the public footpath with a mature hedgerow along the eastern site boundary with Maidstone Road.

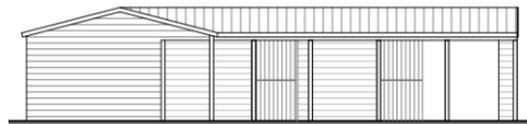
2. PROPOSAL

- 2.01 Change of use from equestrian to a dog day care facility. The existing stable block will be used as an indoor rest area and staff kitchen. An additional storage building is proposed.
- 2.02 A new 1.8m high wire mesh boundary fence will front the main public highway and part of the side boundary which runs along the public footpath (KM41) with a 1.8-metre-high entry gate to ensure safety of the site. Parking provision is included within the site.
- 2.03 The applicant states:
- *"Paws and Claws has provided professional, licensed, safe and reliable dog day care since 2018. We are currently licensed to care for 16 dogs per day and are now at full capacity. Due to the increase in demand for day care services, we often have a waiting list or are unable to offer our service to clients who do not live within our current small catchment area"*.
 - *"We expect to increase our current staffing from 4 to 6-8 members of staff and will be able to safely provide care to up to 40 dogs per day for Paddock Wood and the surrounding areas"*.

- *"We hope that this permission is granted. All additional installations at the site are 100% temporary and there is a clear benefit to the local community through modest job creation and improved animal welfare for dogs in and around the local area. How our Business Works Our proposed business hours are Monday to Friday 08.00-18.00. No overnight or weekend service will be offered".*
- *"There are currently 3 existing stables that we plan to use as our indoor space for the dogs all with mains electric and lighting. They will be heated, and all have windows and stable doors for adequate ventilation..... Each group of dogs will have access to a secure fenced exercise area as well as a heated indoor space".*



Existing North West Elevation



Existing North East Elevation

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan Adopted October 2017,

SS1: Maidstone Borough spatial strategy

SP17: Countryside

SP18: Historic Environment

SP21: Economic development

DM1: Principles of good design

DM3: Natural environment

DM4: Development affecting designated and non-designated heritage assets

DM23: Parking standards

DM30: Design principles in the countryside

DM31: Conversion of rural buildings

Maidstone Borough Council – Local Plan Review, draft plan for submission
(Regulation 22) dated October 2021.

The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (Stage 2 concluded on the 9 June 2023). The relevant policies in the draft plan are as follows:

LPRSS1 Maidstone Borough Spatial Strategy

LPRSP9 Development in the Countryside

LPRSP11 - Economic development

LPRSP11(B) - Creating new employment opportunities

LPRSP12 - Sustainable transport

LPRSP14 - Environment

LPRSP14(A) - Natural environment

LPRSP14(B) - Historic environment

LPRSP14(C) - Climate change

LPRSP15 – Principles of good design

LPRSS1 - Spatial strategy

LPRTRA2 - Assessing transport impacts

LPRTRA4 - Parking

LPRENV1 - Historic environment

LPRQ&D1 - Sustainable design

LPRQ&D2 - External lighting

LPRQ&D 4 Design principles in the countryside

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local residents

4.01 No representations received.

Yalding Parish Council

4.02 Objection for the following reasons:

- Contrary to MBC adopted Local Plan 2017 and the current proposals contained within the emerging Local Plan (*Officer comment: The current application is a departure from the development but as set out below material considerations indicate that planning permission should be approved*)
- Loss of agricultural land to commercial purposes. (*Officer comment: the current lawful use of the site is equestrian not agriculture*)

5. CONSULTATIONS

KCC Drainage

5.01 No objection as the development is low risk with regards to surface water.

Southern Water

5.02 No objection. There are no public foul sewers in the area to serve this development and the applicant is advised to examine alternative means of foul disposal.

Environment Agency

5.03 No objection. Covered by the EA Flood Risk Standing Advice.

KCC Highways

5.04 No objection. Does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Kent Police

5.05 No objection. The applicant is advised to contact the Police to discuss secure by design measures.

KCC Public Right of Way Officer (PROW)

5.06 No objection subject to a walkable 1.5m strip is to be clearly marked adjacent to the parking area and the perimeter fence moved to allow a minimum width of 3.8m from the northern boundary for the Right of Way to pass through.

MBC Environmental Health

5.07 No objection subject to arrangements for the removal of dog waste which would need to be cleared at least as frequently as waste matter from the stables.

6. **APPRAISAL**

- 6.01 The starting point for assessment of all applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will only be permitted where:
- a) there is no harm to local character and appearance, and
 - b) they accord with other Local Plan policies
- 6.02 Policy SP17 does not specify an acceptable level of harm and all proposals in the countryside are likely to result in some harm to local character and appearance. In this context all development outside the designated settlements does not accord with this part of SP17.
- 6.03 Other Local Plan policies permit development in the countryside in certain circumstances and subject to listed criteria. The earlier application (12/0168) for the existing stables on the application site if submitted now would be considered against criteria in policy DM41 equestrian development. If development accords with one of these other Local Plan policies, this compliance generally outweighs the harm caused to character and appearance with a proposal in accordance with policy SP17 overall.
- 6.04 Policy SP21 (vii) states that improving the economy and providing for the needs of business will be achieved through "*Prioritising the commercial re-use of existing rural buildings in the countryside over conversion to residential use, in accordance with policy DM31*".
- 6.05 The criteria in DM31 for conversion of rural buildings to commercial uses include a requirement that the existing building "...takes account of and reinforces landscape character" (there is a higher DM31 threshold for conversion to residential - listed building, listed building setting, contribute to landscape character, exemplify Kentish landscape). It is concluded that the existing stables building (image provided below) does not take account of and reinforce landscape character. The conversion to other uses is not permitted by policy DM31 and is not in turn supported by SP21.

Existing building



- 6.06 The application does not involve the conversion of agricultural land to domestic garden so DM33 is not relevant. The application does not involve the expansion of an existing business on the application site so policy DM37 is not relevant.
- 6.07 The proposal will result in harm to the character and appearance of the countryside and there are no Local Plan policies that support the application. The recommendation to grant planning permission would be a departure from the adopted Local Plan.
- 6.08 The National Planning Policy Framework (NPPF) highlights that the planning system is plan-led. The NPPF reiterates The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004, which require by law that planning applications "*must be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 6.09 The relevant material considerations in this case include assessing the impact of the proposal in the following areas:
- Character and appearance
 - Heritage
 - Rural economy
 - Neighbour amenity
 - Access, parking, transport, and Public Right of Way (PROW)
 - Biodiversity

Character and appearance

- 6.10 Supporting text to policy SP17 advises "*The countryside has an intrinsic character and beauty that should be conserved and protected for its own sake*".
- 6.11 In terms of assessing this intrinsic character in the Council's published Landscape Character Assessment, the application site is in the Beltring Grasslands area which is part of the wider Low Weald landscape. The summary of actions in this area include:
- Conserve and enhance grassland and pasture and avoid further conversion of agricultural land to arable production often resulting in the loss or decline of hedgerows and trees to create large open fields (arabalisation).
 - Conserve, extend and enhance the tree belts and hedgerows which provide a sense of enclosure and define the field pattern
 - Soften the prominence of large agricultural buildings with native planting
 - Conserve the rural setting of traditional farmhouses
- 6.12 The application site has a lawful equestrian use with an existing stable block, parking area and vehicular access in the north east corner. As can be seen in the photograph on the preceding page the site is screened from Maidstone Road by mature landscaping. A public footpath (KM41) is immediately to the north of the application site with views of the site from the footpath restricted by mature planting.
- 6.13 The proposal involves the retention and reuse of the existing stable block on the application site.
- 6.14 The proposal includes an additional single storey pitched roof timber building. This building is 6 metres by 3 metres, roof eaves 2 metres, roof ridge 2.5 metres. This building will be used as an indoor rest area for dogs. The building will be located to the south of the existing stables building and adjacent to the existing parking area.

Indicative image of proposed fencing



- 6.15 New 1.8 metre high fencing will be installed around the perimeter of the application site with a matching entrance gate in the north east corner. The fencing and gates will be of timber and metal wire mesh construction (*"12/14 gauge wire mesh fencing rolls with apertures of no more than 50mm x 50mm . Entry gates will also be 1.8m high to ensure security of the site. A double gate system will be installed to prevent the escape of a dog from the facility"*) The open mesh design of the fencing will ensure that visual impact is minimal. The open areas of the site will be used as dog exercising areas
- 6.16 In summary, the change of use involves minimal physical changes to the existing site. The new building will be seen in the context of the larger existing stables building. Existing vegetation to boundaries, strengthened by landscaping required by a planning condition will screen the use from most public views of the buildings.
- 6.17 Although not directly relevant, Local Plan policies SP21 and DM37 are generally supportive of proposals for economic development in the countryside subject to listed criteria. The assessment above shows that the new building is *"...an appropriate scale for the location and can be satisfactorily integrated into the local landscape"*.

Heritage

- 6.18 Policy SP18 of the Local Plan relates to the historic environment and requires that, inter-alia, the characteristics of heritage assets are protected, and design is sensitive to heritage assets and their settings. Policy DM4 of the Local Plan also relates to development affecting designated heritage assets and requires applicants to ensure that new development affecting heritage assets conserve, and where possible enhance, the significance of the heritage asset.
- 6.19 The NPPF (paragraphs 201 and 202) requires the impact on the significance of a designated heritage asset to be assessed as either "substantial harm" or "less than substantial harm" with NPPG guidance setting out that "substantial harm" has a high threshold "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 6.20 NPPF guidance (paragraphs 199 and 200) states that when assessing the impact of development on the significance of a designated heritage asset, great weight

should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm to significance amounts to substantial harm, total loss or less than substantial harm.

- 6.21 Beltring House and Oast House are located to the east of Maidstone Road (assessed from Maidstone Road via a single service road) and are both grade II listed residential buildings. Distances of circa 65 metres from Beltring House and circa 73 metres from the Oast House separate these listed buildings from the new building on the application site. As mentioned earlier, the application site boundary has mature landscaping along the Maidstone Road (west) boundary. On the eastern side of Maidstone Road is a grass verge, 2 metre high close boarded fence and landscaping.
- 6.22 The impact of the application on the significance of the nearby designated heritage assets will be less than substantial. This conclusion is reached for the following reasons:
- existing and proposed buildings single storey in height,
 - separation distance,
 - location on opposite sides of Maidstone Road and
 - existing screening on both sides of the road.
- 6.23 The 'less than substantial harm' has been weighed against the public benefits of the proposal including, and the harm is outweighed by the benefits from the reuse of this site.

Neighbour amenity

- 6.24 Local Plan policy DM1 states that development must "*Respect the amenities of occupiers of neighbouring properties and uses by ensuring that development does not result in, or is exposed to, excessive noise, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties*".
- 6.25 The nearest residential dwellings are Beltring House and Oast House that are separated from the new building by distances of circa 65 metres and circa 73 metres respectively. As set out above, the application site and these buildings are separated by Maidstone Road and mature landscaping on the application site, and close boarded fence on the opposite side of the road. In this context there are no issues with daylight, sunlight, privacy and overlooking.
- 6.26 Other potential sources of nuisance are noise and waste. In terms of waste the applicant has advised "*We will install a portable toilet on site for the use of staff which will be professional serviced on a weekly basis. Dog waste will be disposed of regularly in compliance with licensing regulations*".
- 6.27 The MBC website advises "*A dog day care licence is required for businesses which provide day care facilities for dogs which are not located on a domestic premises. Overnight stays of dogs are not permitted for this licence type*".
- 6.28 The licence requires that strict procedures are put in place in various areas including cleaning and disinfection and that "*...faeces must be removed from all areas as often as necessary and at least twice a day*". As the removal of waste is covered under separate legislation, a planning condition would be duplication and would not meet the statutory condition tests.

- 6.29 In terms of potential noise nuisance, the applicant has stated *"The site is located next to a noisy road. We will ensure that minimal noise comes from site, which we currently do by not taking on any dogs that bark excessively. Before taking a dog into our care, we conduct a full assessment and trial to ensure the dog is suitable. It is important to our staff's well-being that there is no excessive barking or noise and this also ensures that the site is not noisy". A further requirement of the separate licence is that "A facility must create a written programme that shows how they provide an enriching environment"*.
- 6.30 A planning condition is recommended that restricts operation of the use to Monday to Friday 08.00-18.00 with no overnight or weekend service.

Trip generation, access, and Public Right of Way (PROW)

- 6.31 The NPPF states that planning decisions *"...should recognise that sites to meet local business...needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development ... does not have an unacceptable impact on local roads..."*.
- 6.32 Local Plan policy DM1 states that proposals will be permitted, where they can safely accommodate the associated vehicular and pedestrian movement on the local highway network and through the site access.
- 6.33 The applicant advises *"In order to look after the dogs to a high and safe standard, and to comply with the licensing regulations, we have 1 staff member to 10 dogs. Currently, the dogs are transported to and from day care in our purposely modified vehicle. We would aim to continue this service at this new site but we would also like to offer the option for clients to drop off and collect their dog themselves from the facility"*.
- 6.34 The existing stables are provided with vehicular access to Maidstone Road and a gravelled area around the stables for turning. The access and turning area are suitable for the proposed use and the trips associated with the use can be safely accommodated on the road network. There has been no objection raised by KCC Highways.
- 6.35 A Public Right of Way (PROW) runs along the northern site boundary (KM41). To ensure that the proposed use does not block this footpath, the applicant has submitted a block plan with a 'no parking' area marked. A planning condition is recommended to ensure that this restriction is provided.

Car and cycle parking

- 6.36 Local Plan policy DM 23 states that the car parking provided for non-residential uses will consider the following:
- The accessibility of the development and availability of public transport.
 - The type, mix and use of the development proposed, and
 - Whether development proposals exacerbate on street car parking to an unacceptable degree.
- 6.37 Whilst outside of a settlement, Paddock Wood Railway Station is 10 minutes by car to the south and Beltring Railway Station is 3 minutes by car to the north east. In addition, due to the nature of the use it would be difficult to find a site in a settlement with the benefit of the large area of open space for dog exercising that this site offers.

- 6.38 The car parking standards for non-residential uses set out in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006. These standards are generally set as maximum (not minimum) and there are no standard provided for the proposed use (sui generis).
- 6.39 The existing stables are provided with parking space for 10 cars on a gravelled area around the stables. The applicant has set out that drop off and collection will be carried out by the applicant's own adapted van and through customers visiting the site. The parking area is sufficient for this level of use.
- 6.40 The parking standards for non-residential uses set out in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006 do not provide a standard for cycle parking. Whilst cycling is likely to be impractical for most trips, it could be an option for staff and a planning condition is recommended asking for onsite cycle parking.
- 6.41 The NPPF states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (Paragraph 111)*". It is concluded that the impact of the application on highway safety will be acceptable and the impact on the road network will not be 'severe'. The impact of the proposal is found to be acceptable

Biodiversity

- 6.42 Local Plan policy DM3 states: "*To enable Maidstone borough to retain a high quality of living and to be able to respond to the effects of climate change, developers will ensure that new development protects and enhances the natural environment ...where appropriate development proposals will be expected to appraise the value of the borough's natural environment through the provision of...an ecological evaluation of development sites...to take full account of the biodiversity present, including the potential for the retention and provision of native plant species*".
- 6.43 The proposal does not result in the need for ecological surveys, and there are no protected species which would be at risk. Policy DM1, DM3 and the NPPF do however all promote ecological enhancement. With the nature and extent of the proposals a condition is recommended seeking biodiversity enhancements.

Rural economy

- 6.44 Guidance in the National Planning Policy Framework is a material planning consideration. Under the heading "*Supporting a prosperous rural economy*" the NPPF states planning decisions "*...should enable the sustainable growth and expansion of all types of business in rural areas...through conversion of existing buildings*".
- 6.45 Although not directly relevant, Local Plan policies SP21 and DM37 are generally supportive of proposals for economic development in the countryside. With the nature of the use and the space required for dogs to be exercised, it would be difficult to find a suitable site for this use in a settlement.

Permitted development rights

- 6.46 National legislation allows the conversion of buildings to alternative uses including residential without the need for full planning permission (permitted development). This legislation is the General Permitted Development Order 2015 (as amended) (GPDO).

- 6.47 To remove future flexibility for the application building to change to alternative uses without the need for full planning permission a planning condition is recommended removing this permitted development right. This condition will result in a need for full planning permission for this change.
- 6.48 A further condition is recommended that requires submission of an application for advertisement consent for the display of advertisements or signage associated with the use.

PUBLIC SECTOR EQUALITY DUTY

- 6.49 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The National Planning Policy Framework (NPPF) reiterates The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004, which requires by law that planning applications "*must be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 7.02 The proposal will result in harm to the character and appearance of the countryside contrary to policy SP17 and there are no Local Plan policies that directly support dog day care uses. In this context as the application is not in accordance with the adopted Local Plan, it needs to be determined as to whether there are other material considerations that justify granting planning permission.
- 7.03 The application involves a change of use of land and buildings that are currently in equestrian use. The proposal is found to be acceptable in relation to the minimal level of harm that will be caused to the character and appearance of this rural area. The proposal is acceptable in relation to heritage impacts, neighbour amenity, and biodiversity. The access and parking arrangements, together with the impact on the Public Right of Way are all acceptable. A planning condition will require a further application for the display of any advertisements or signs
- 7.04 The application brings a vacant equestrian site back into beneficial use and supports the aims of NPPF and the Local Plan in achieving a prosperous rural economy.
- 7.05 It is concluded that whilst the application is not in accordance with the development plan (a departure) these material considerations that have been outlined and the minimal level of harm indicate that planning permission should be approved.

8 RECOMMENDATION

GRANT PLANNING PERMISSION subject to planning conditions in Section 8 of this report and subject to no new material considerations being raised because of the departure press notice expiring on the 27 July 2023.

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following approved plans and documents:
- Proposed floor plan and elevations
 - Site Location Plan
 - Planning information (Nov 2020)
 - Existing floor plan Elevations
 - Heritage Impact Statement
 - Fence and gate side elevation
 - Proposed floor plans and elevations (received 28.06.2023)
 - Proposed block plan
 - Flood Risk Assessment
 - Planning Statement (March 2023)
 - Applicant's information sheet (received 28.06.2023)
 - Planning note (received 28.06.2023)
- Reason: in the interests of proper planning.
- 3) Prior to the construction of the additional building hereby approved a scheme of soft landscaping, shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall include
- a) indications of all existing trees and hedgerows on the land, and details of any to be retained,
 - b) Details of an indigenous species planting schedule (including location, spacing, planting species and size) to provide new and enhanced screening of existing and proposed buildings, designed using the principle's established in the Council's adopted Landscape Character Assessment (2012)
 - c) a program for the approved scheme's implementation and long term 5 year management.
- Reason: In the interests of landscape, visual impact, and amenity of the area and to ensure a satisfactory appearance to the development.
- 4) All planting, seeding and turfing specified in the approved landscape details shall be completed by the end of the first planting season (October to February) following first occupation of the new building hereby approved. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme. Reason: In the interests of landscape, visual impact, and amenity of the area and to ensure a satisfactory appearance to the development.
- 5) The building or land shall be used for dog day care purposes only and for no other purpose (including any other purpose in Classes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any statutory instrument revoking and re-enacting those Orders with or without modification). Reason: Unrestricted use of the building or land would cause demonstrable harm to the character, appearance and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers.
- 6) Any external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011 (and any subsequent revisions) and follow the recommendations within Bat Conservation Trust's

'Guidance Note 8 Bats and Artificial Lighting', and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter. Reason: To safeguard the character and appearance of the countryside and in the interests of residential amenity and wildlife.

- 7) The buildings and land shall only accommodate a maximum of 40 dogs at any one time and the use shall only operate Monday to Friday between the hours of 08.00 and 18.00 with no overnight accommodation or weekend service provided. Reason: Unrestricted use of the building or land would be likely to cause harm to the character, appearance and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers.
- 8) Prior to the commencement of the use first occupation of the approved use secure bicycle storage shall be in place that is in accordance with details that have previously been submitted to and approved by the Local Planning Authority. These details will be maintained as such thereafter. Reason: To promote sustainable travel choices and the reduction of CO2 emissions.
- 9) Prior to first occupation of the approved use the measures taken for the on site enhancement of biodiversity as shown in the submitted design and access statement shall be in place. All features shall be maintained permanently thereafter. Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.
- 10) Prior to commencement of the approved use, the approved parking areas shall be provided and shall be retained, kept available for such use and permanently retained afterwards. Prior to commencement of the approved use, painted restrictions on the ground shall be in place to ensure that car parking does not block Public Right of Way (PROW) (KM41). With these restrictions permanently retained afterwards Reason: To safeguard the character and appearance of the surrounding area.
- 11) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 separate consent is required for the display of any sign or advertisement on land controlled by the applicant or in the vicinity of the application site in connection with the approved use. Reason: To safeguard the character and appearance of the surrounding area.