

LOCATION:	Land To The North Of Bagshot Road, Bagshot Road, Chobham, Woking, Surrey, ,
PROPOSAL:	Change of use from equestrian to dog day care facility for up to 130 dogs with associated fencing, hard standing and works to existing buildings.
TYPE:	Full Planning Application
APPLICANT:	Bruce's Doggy Day Care
OFFICER:	Mr Duncan Carty

This application would normally be determined under the Council's Scheme of Delegation. However, it is being referred to the Planning Applications Committee at the request of Cllr V. Wheeler due to the concerns of local residents.

RECOMMENDATION: GRANT

1.0 SUMMARY

- 1.1 This application relates to a site in the Green Belt, west of Chobham, and relates to the change of use from equestrian to a dog day care facility (sui generis) with associated development. The proposal is considered to be not inappropriate in the Green Belt and no objections are raised on character, residential amenity, highway safety, ecology and flood risk grounds. The application is recommended for approval

2.0 SITE DESCRIPTION

- 2.1 The application site lies in the Green Belt. It is on the north side of Bagshot Road and east of Clappers Lane, on the approach to the Chobham village. The land includes a barn centrally positioned on the site. Most of the site boundaries are with fields, but with Chobham Fire Station to part of the east boundary. The access road is from Bagshot Road running north to this building. The site measures about 2 hectares primarily comprising three fields, with some trees/vegetation provided to site boundaries. Whilst the majority of the site is grassland but with a small pocket plantation woodland located to the west side of the site. The site is relatively flat but with levels gently falling towards the north boundary. The land forms part of a wider equestrian site (see planning history below). The north edge of the site falls within Flood Zone 2 (medium risk).
- 2.2 The nearest residential properties are Prestons, The Vicarage and Acworth House (set 43.6 metres to the south west, and 23.6 and 23.4 metres to the south east, respectively). In addition, Strawcock Field, Coppice Wood and Brook Cottage are set 118, 90 and 34 metres from the application site, respectively. Brook Cottage is located beyond the fire station.

3.0 RELEVANT HISTORY

- 3.1 07/1152 – Change of use from horticultural to equestrian and the erection of a stable block following the demolition of a large shed on land at Bagshot Road/Clappers Lane.

Refused permission in January 2008 and subsequent appeal was allowed in June 2008. This related to a wider site than the current application site, including land to the north and

north west (accessed from Clappers Lane). The large shed was demolished and the stable block built on land outside the current application site.

Condition 4 of this permission states:

No mobile or temporary structures, buildings or chattels associated with the use of the land for the keeping of horses shall be placed on the application site without the prior written approval of the local planning authority.

Condition 5 of this permission states:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Order 1995 (or any order revoking and re-enacting that order), details of any walls and fencing shall be submitted to and approved in writing by the local planning authority before any such development commences. Any such development approved shall be undertaken in accordance with approved details.

- 3.2 10/0858 – Application for the removal of Conditions 4 and 5 of permission 07/1152 to allow the provision of moveable structures and the erection of fencing.

Refused permission in January 2011 and subsequent appeal was dismissed in November 2011.

- 3.3 12/0280 – Certificate of Lawful Proposed Development for the erection of a 1.8 metre high close boarded fence.

Considered to be unlawful in June 2012.

4.0 THE PROPOSAL

- 4.1 The proposal relates to the change of use from equestrian to a dog day care facility (sui generis), for up to 130 dogs, and associated development. These include the conversion of the existing barn building on the site to provide a reception area, with accommodation for nursery (puppies), small dogs and large dogs; and a storage area.
- 4.2 The dogs are proposed to be collected from the owners' homes and brought by van during the morning and returned home in the afternoon. The dogs are not brought to the site by their owners. The general public would only visit the site at an interview/assessment stage before their dogs use this facility.
- 4.3 The fields would be divided into four fields (by fencing) to provide space for large dogs, small dogs, puppies and a sensory area. A parking area would be provided for 12 cars, utilising the existing access onto Bagshot Road. Improvements to visibility at the access point would be provided. Staffing is set at about 1 staff member for 10 dogs, with an expectation of up to 15 staff on site at any time during the operational hours.
- 4.4 Bruce Casilas has run Bruce's Doggy Day Care business for over 12 years in Surrey. He sits on the board of directors for the Pet Industry Federation and acted as an advisor for DEFRA, the Dogs Trust and the RSPCA. Bruce's Dog Day Care runs a larger dog day care operation at two adjoining sites in Oxshott and Cobham, as well as a site in Stokenchurch in Buckinghamshire; and has recently secured permission for a site in Wokingham.
- 4.5 The expected catchment for the proposal is principally from Chobham, Woking, Ascot and Sunningdale, extending to Camberley and Bracknell. The facility provides an opportunity for dogs to socialise whilst their owners are at work. No overnight (boarding) accommodation is to be provided on the site. This service will involve staff keeping any boarding dogs at their homes overnight. As set out in the management report provided with this application, the site is proposed to be open from 7:30am until 6pm from Mondays to Fridays only and the majority

of the dogs are on the site from about 8:30am until 3pm, with the only dogs retained after 3pm are those being boarded at staff homes.

4.5 The application is supported by:

- Planning, design and access statement;
- Preliminary ecological report;
- Noise report;
- Transport Statement; and
- Management report.

Amended drawings have been provided during the processing of this application to indicate the addition of sight lines (at the site access) and position of acoustic fence/buffer as well as the addition of a staff W.C. within the building.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objections subject to conditions (a copy of their comments are attached at Annex 1).
- 5.2 Environmental Health No objections to the proposal on the impact on noise from the development subject to the mitigation measures set out in the noise report. In addition, the EH team would separately consider the dog care proposal through a separate licensing process.
- 5.3 Surrey Wildlife Trust No objections received.
- 5.4 Chobham Parish Council An objection is raised on the following grounds:
- Unneighbourly development detrimental to residential amenity due to large number of dogs and noise nuisance potential.
 - Impact of an intensification of use on access, in combination with the Chobham Adventure Farm, directly opposite.
 - Loss of equestrian use in an area where potential equestrian demand should be resisted.
 - Lack of workplace facilities (e.g. staff toilets, washing/changing, rest and eating facilities, undercover cycle storage, etc.)
 - Insufficient information regarding dog welfare (particular around poor weather).
 - A number of conditions suggested, if minded to approve.

6.0 REPRESENTATION

- .1 At the time of the preparation of this report, 3 representations in support and 49 representations, including a response from the Chobham Society, had been received raising the following objections:
- Loss of equestrian facility against Policy DM3 [*Officer comment: Policy DM3 does not seek the retention of equestrian facilities. In addition, see paragraph 7.3*]
 - Inappropriate development in the Green Belt [*see paragraph 7.4*]
 - Creeping development in the Green Belt/erosion of countryside [*see paragraph 7.4*]
 - Not in keeping with other properties on this side of the road [*see paragraph 7.4*]

- Loss of open green space/blight on the landscape [see *paragraph 7.4*]
- Further commercialisation of the area [see *paragraph 7.4*]
- Over development and urbanisation of the site [see *paragraph 7.4*]
- Major change of use and if developed like Oxshott/Cobham site, including swimming pools, agility courses, trampolines, comfy dog beds and a Scandinavian log cabin (for cold winter days), it will impact on nature of Green Belt and cause harm to intrinsic character and beauty [see *paragraph 7.4*]
- Lack of facilities for staff (under Health, Safety and Welfare Regulations), such as staff toilets, washing/changing facilities, eating/resting facilities, and undercover cycle facilities, and if provided, will reduce the indoor accommodation for the dogs [see *paragraph 7.4*]
- No indoor provision for housing/exercising dogs during bad weather [see *paragraph 7.4*]
- Barn facility unsuitable for staff facilities given its age, size and condition [see *paragraph 7.4*]
- Visual impact from change of use and high fencing, building structure, along with trampolines and other (dog entertainment) facilities [see *paragraph 7.4*]
- Emissions from increased traffic e.g. local school [see *paragraph 7.5*]
- Increased pollution and invasiveness of noise (barking) [see *paragraph 7.5*]
- Impact on quiet enjoyment of neighbouring gardens from noise from dogs [see *paragraph 7.5*]
- Anti-social proposal [see *paragraph 7.5*]
- Impact on quality of life of local residents [see *paragraph 7.5*]
- Noise impact assessment inadequate considers noise (as one bark, rather than continuing, random barking as dogs are a pack animal), and disturbance (leading to barking) of local residents' dogs. Dogs naturally bark especially when playing, separated from owners, fretful or when on heat [see *paragraph 7.5*]
- A privately commissioned noise report (i.e. not under this application) already shows alarming noise levels in this area. Noise report should reflect on other sites (currently operated by the applicant) [see *paragraph 7.5*]
- Independent noise report required [*Officer comment: The Environmental Health team have assessed the provided report, see paragraph 7.5*]
- At existing sites [Oxshott/Cobham], dogs were constantly running around and barking loudly and despite heavy rain and noise from the M25, the barking could be heard from well outside the sites. These [adjoining] sites cannot be compared where there are many more residential properties nearby. Barking cannot be controlled to a level that would not impact on neighbours [see *paragraph 7.5*]

- Greater impact of 130 dogs from noise, compared with 13 horses [see *paragraph 7.5*]
- Close to adjoining properties [see *paragraph 7.5*]
- Loss of privacy [see *paragraph 7.5*]
- Insufficient parking [see *paragraph 7.6*]
- Highway safety [see *paragraph 7.6*]
- Access onto dangerous stretch of winding/busy road on blind bend [see *paragraph 7.6*]
- Hours of opening [07:30 to 18:00 hours] are too long (longer than other similar facilities) and should be curtailed to fall outside of commuter times and school traffic [see *paragraph 7.6*]
- Impact of increased traffic on nearby fire station access to emergencies [see *paragraph 7.6*]
- Impact of intensification of use leading to increased traffic on with existing businesses e.g. Chobham Adventure Farm, Co-op and community facilities e.g. school, church and pedestrians from narrow pavement, and wider highway network, and increased risk of accidents [see *paragraph 7.6*]
- Impact from traffic from people picking up and dropping off their dogs (130 car movements per day both ways) and doubt about clients using the pick-up service [see *paragraph 7.6*]
- Previous objection by County Highway Authority [to 07/1152] due to inadequate access from intensification should still apply [see *paragraph 7.6*]
- Inadequate public transport provisions [see *paragraph 7.6*]
- No traffic plan [see *paragraph 7.6*]
- Impact on ecology [see *paragraph 7.7*]
- Development on the flood plain/waterlogged/boggy ground [see *paragraph 7.8*]
- Impact on village eateries and wider village life from noise [*Officer comment: The nearest village eateries are set about 200 metres from the application site and it is not anticipated that a material impact would occur*]
- Impact on public open space from noise [*Officer comment: The public open space (Chobham SANG) is set 385 metres from the application site and it is not anticipated that a material impact would occur*].
- Limitations on site [Conditions 4, 5 and 6 of 07/1152]. ISO container and lean-to have been added in contravention of the limitations. Limitations on the stable block to allow entry and egress of flood water [*Officer comment: The limitations on the stable block relate to the block constructed outside of the application site, which falls within the floodplain. The lean-to was added in 2006-9 and the ISO container in 2009-10 (from historic aerial photography) and are therefore lawful*]

- Lack of information concerning the care of dogs in inclement weather [*Officer comment: This is subject to a separate licensing process*]
- Lack of information in the application submission [*Officer comment: It is considered that sufficient information has been provided to determine this application*]
- Benefit of job creation reduced if similar local businesses are forced to close [*Officer comment: This application is determined on its own merits*]
- This is the start of a big development plan (e.g. houses) and, along with other development in the area, would compromise the character and history of Chobham [*Officer comment: This application is determined on its own merits*]
- Unnecessary and unpopular development [*Officer comment: This comment was not explained further*]
- General dislike of proposal and conflict with local plan [*Officer comment: This comment was not explained further*]
- Strain on existing community facilities [*Officer comment: This would not be a reason to refuse this application*]
- Should keep the area as residential rather than as a business area [*Officer comment: This would not be a reason to refuse this application*]
- Wrong location for proposal (should be more rural) [*Officer comment: The application has to be determined on its own merits*]
- Potential increased light pollution – no details provided of external lighting [*Officer comment: A limitation on external lighting is proposed*]
- No value to residents of Chobham [*Officer comment: This would not be a reason to refuse this application*]
- Purely a financial benefit for the owner [*Officer comment: This is not a material planning consideration*]
- Impact on bird species (Dartford Warbler) [*Officer comment This is not a material planning consideration, in this case*]
- Land owner has a history of developing sites beyond the original application [*Officer comment: The application has to be determined on its own merits*]
- If recommended for approval conditions limiting permitted development rights, fences, hours of operations, no general public attending the site, use, hours of opening, prohibiting external lighting, no additional buildings, hardstanding (or other development), maintenance of hedgerow for ten years should be imposed [see *Conditions in paragraph 10.1*]
- Information missing from plans [*Officer comment: No details of missing information/plans provided*]
- Number of planning permissions in the area [*Officer comment: The application has to be determined on its own merits*]

6.2 The representations in support indicate:

- Company has provided a highly trusted service to many dog owners in Surrey for the last 11 years.
- A very high standard of care for the dogs is provided.
- The dogs are always happy, social and engaged at the centre.
- It is not like a kennels where dogs are kept in confined spaces and therefore stressed/barking.
- Provide dogs with the opportunity to live a more sociable and fulfilled life.
- Opening hours limited to between 08:30am and 3:00pm with minimum traffic nuisance due to dogs being “bussed” in and out. Dogs are not kept overnight or at weekends.
- All dogs are vetted so no aggressive or noisy dogs are accepted thus not disturbing neighbours.
- An excellent community asset/addition to village which should be supported
- Job creation (benefit to Chobham).
- No new building required.
- No immediate neighbours.

7.0 PLANNING CONSIDERATION

7.1 The site is located in the Green Belt. As such, Policies CP1, CP2, CP8, CP11, CP14, DM1, DM3, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and the National Planning Policy Framework (NPPF) are applicable, as well as guidance in the Planning Practice Guidance (PPG).

7.2 The main planning issues relevant to the consideration of this application are considered to be as follows:

- The impact on the Green Belt;
- The impact on character;
- The impact on residential amenity;
- The impact on highway safety;
- The impact on ecology;
- The impact on flood risk; and
- Other matters.

7.3 Impact on the Green Belt

- 7.3.1 Paragraph 133 of the NPPF indicates the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of Green Belts are their openness and their permanence. Paragraph 134 of the NPPF sets out the purposes of Green Belts which includes to prevent the merging of neighbouring towns and to assist in safeguarding the countryside from encroachment.
- 7.3.2 Paragraph 146 of the NPPF indicate that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include the re-use of buildings, provided that the buildings are of permanent and substantial construction, and material changes of use of land.
- 7.3.3 The proposal includes the material change of use of land and the re-use, with adaptation, of an existing building to support this use. The proposed use, as a dog day care centre, is more often located in rural (or Green Belt) locations because of the need to provide a large piece of open land to accommodate the activity, which is more difficulty to find within a settlement. The existing building is considered to be permanent and its conversion, including internal alterations and the provision of windows/doors, can be achieved.
- 7.3.4 The proposal would lead to increased levels of staff at the site, with increased comings and goings. However, the level of such activity would remain relatively low. The number of visitors (i.e. the general public) would be extremely low. It is considered that the level of activity that would be associated with the proposed use would not have any material effect upon the Green Belt.
- 7.3.5 The use would include the provision of moveable chattels in the form of paraphernalia such as dog toys, (mini-)swimming pools, tunnels, platforms, shelter gazebos, etc. to provide activities/shelter for the dogs which could lead to an urbanisation of the site. However, the equestrian use of the site could lead to a proliferation of moveable equestrian paraphernalia, such as jumps, which could have an equal, or greater, impact. This would have a material effect with views into the site available from the adjacent highway, Bagshot Road.
- 7.3.6 The restrictions on this land are noted (see Paragraph 3.1 above) but the Inspector considering this matter (in the appeal for 10/0858) explained, in dismissing that appeal, that such limitations do not necessarily prevent all forms of structure and boundary treatment from being erected on the site but would be considered without prejudice and on their individual merits. The imposition of the same limitation would result in no materially greater harm to the openness, and purposes, of the Green Belt.
- 7.3.7 In addition, the treatment of boundaries, which need to be secure enough to retain the dogs within their respective fields and not be harmful to rural character or openness, needs to be carefully considered. Notwithstanding the suggested boundary treatments provided on the submitted layout drawing, it is considered that these details will need to be agreed (in a similar manner to the limitations set out for the existing use - see paragraph 3.1 above).
- 7.3.8 The proposal is considered to not harm openness or conflict with the purposes of the Green Belt. As such, the proposal is therefore considered to not be inappropriate in the Green Belt and no objections are therefore raised to the impact on the Green Belt.

7.4 Impact on character

- 7.4.1 Policy DM9 of the CSDMP indicates that development should respect and enhance the local and rural character of the environment. The current proposal is principally a change of use which, in itself, would not have a significant impact on character. The number of dogs and associated activity would be visible but this is not considered to have a significant impact, noting the limitation on numbers.

- 7.4.2 The provision of paraphernalia would not have any significant effect for the reasons set out in paragraphs 7.3.4 and 7.3.5 above. The agreement, by condition, of boundary treatments would also limit their effect on the rural setting. In addition, the additional car parking would be limited in number and would have a limited effect.
- 7.4.3 As such, the proposal is considered to be acceptable on character grounds, with the proposal complying with Policy DM9 of the CSDMP.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP indicates that development should respect the amenities of the occupiers of neighbouring properties. The development, including the conversion and external works (principally the car park extension and boundary treatment(s)), would have very little effect noting the level of separation to surrounding residential properties.
- 7.5.2 The main impact is from noise from the activity on the site, especially from dog barking. The applicant currently runs a larger site at Oxshott/Cobham which has been visited separately by the case officer and Environmental Health officer. It was clear from these visits that the levels of noise from dog barking is limited and, with the exception of the occasional bark, was not noticeable. The dog day care is run for friendlier/calmer breeds and the activities they provide limit any potential animal stress (which could lead to repeated barking). In addition, the hours of operation are proposed to be between 08:30 and 15:00 hours on Mondays to Fridays only.
- 7.5.3 The applicant has provided a noise report which has been assessed by the Council's Environmental Health team. They have concluded that, taking into consideration the background noise levels, the proposal would result in a maximum noise increase of 5dB, and this can be mitigated to a level of a 1dB increase, by providing a 10 metre wide exclusion zone/fencing to the south east boundary of the site (close to The Vicarage and Acworth House). There is no material effect from noise envisaged to the rear gardens of these dwellings, which, behind their respective dwellings, predominantly face away from the application site.
- 7.5.4 Noting the limited hours of the operation, it is considered that the proposal is acceptable in terms of its impact on residential amenity complying with Policy DM9 of the CSDMP.

7.6 Impact on highway safety

- 7.6.1 Paragraph 108 of the NPPF indicates that development should ensure that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved for all users and any significant impacts can be mitigated to an acceptable degree. Paragraph 109 of the NPPF indicates that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.2 Policy DM11 of the CSDMP indicates that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented. All development should ensure safe and well-designed vehicular and access and egress. Policy CP11 requires development to comply with parking standards.
- 7.6.3 The current proposal would accommodate, when fully operational, an average of 100 dogs, but with a capacity of 130 dogs at the site. The transport assessment provided with the application confirms that these dogs are brought to and from the site in specially designed vans which can accommodate 8 dogs each. Up to 8 vans are to be provided for this facility. The dogs are collected and dropped back at their homes. This would dramatically reduce the traffic generation from/to the site.

- 7.6.4 The access to the site is on the inside of a bend in the road with more limited forward visibility. The visibility at the junction is proposed to be improved to provide 2.6 by 70 metres in each direction, to provide an acceptable level of visibility. The County Highway Authority has raised no objections to the proposal (see Annex 1). Whilst, the proposal would intensify the use of the access point, it is considered that, with the collection/drop off service and access visibility improvements, the proposal would not lead to a material increase in highway safety risk.
- 7.6.5 The current proposal would increase the parking provision on the site from 6 to 10 spaces. Noting the collection/drop off service provided by the applicant, this level of parking is considered to be acceptable for this use. As such, no objections are raised on highway safety grounds, with the proposal complying with Policies CP11 and DM11 of the CSDMP, and the NPPF.

7.7 Impact on ecology

- 7.7.1 Policy CP14 seeks to conserve and enhance biodiversity in the Borough with development that results in harm to or loss of features of interest for biodiversity will not be permitted. The applicant has provided a biodiversity report to support the application. The grassland provides limited biodiversity, with the trees and vegetation at the field edges, and the plantation woodland, providing more potential for habitats for protected, or vulnerable, species e.g. reptiles, hedgehogs and badgers. The existing trees and vegetation on the site could provide potential roosting, foraging and commuting opportunities for bats. However these are to remain largely undisturbed.
- 7.7.2 Where works are undertaken to these areas, such as the vegetation to the south boundary (to accommodate the required site access visibility), a watching brief, as outlined in the ecological report, will be required. The construction of the building would not lend itself to roosting conditions for bats, but it is advised that at the time of the conversion of the building this is checked (and any disturbance undertaken thorough the licensing procedures with Natural England). The Surrey Wildlife Trust has raised no objections to the proposal subject to the implementation of mitigation measures. No objections are raised on these grounds with the proposal complying with Policy CP14 of the CSDMP, and the NPPF.

7.8 Impact on flood risk

- 7.8.1 Policy DM10 of the CSDMP indicates that to manage flood risk, a sequential approach will be undertaken. The north edge of the site falls within Flood Zone 2 (medium risk) with the majority of the site, and its building and access, falling within Zone 1 (low risk). The use of the land is defined in the PPG as being “less vulnerable” and it would be compatible with higher flood zone areas. However, the majority of the land, including the building and access, falls within a low risk area.
- 7.8.2 As such, no objections are raised on flood risk grounds, with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

7.9 Other matters

- 7.9.1 The current proposal involves a use for which other legislation also applies. This includes dog welfare provisions under Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and staff welfare provisions under the Workplace (Health, Safety and Welfare) Regulations 1992. This legislation falls beyond the jurisdiction of the Planning Acts. The current proposal is to be determined under the Planning Acts only and the applicant will need to ensure separate compliance thorough this legislation. Informatives have been added to this effect.

7.9.2 Paragraph 54 of the NPPF indicates the conditions can only be imposed where they are necessary, relevant to planning and to the proposed development, enforceable, precise and reasonable in all other respects. The current proposal includes a series of conditions which have been tested against these requirements. Conditions are proposed to be imposed to control the use, scale of the use (number of dogs kept on the site) and structures within the site (boundary fence and permanent structures) on residential amenity and Green Belt grounds. Details of the operation of the site, including operating hours/days, are set out in the management report for which a condition requires compliance is proposed. Similarly, compliance with recommendations on ecology and noise mitigation set out in the respective report provided by the applicant, are proposed to be secured by condition. It is considered that the conditions set out below are compliant with the tests set out in Paragraph 54 of the NPPF.

8.0 POSITIVE/PROACTIVE WORKING

8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

9.1 It is considered that the proposal is not inappropriate development in the Green Belt. It is also acceptable in terms of its impact on local character, residential amenity, highway safety, ecology and flood risk. The application is recommended for approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: 102 Rev E and 111 Rev C, except where amended by conditions below, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. The use of the premises shall be limited to a dog day care (sui generis) facility and for no other purpose unless the prior written approval has been obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of visual and residential amenity and the Green Belt and to accord with Policy DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. Prior to the use of the development hereby approved, a management plan to include a daily registration process for accepting dogs at the site, along with details of monitoring and review mechanisms, so that no more than 130 dogs are kept on the site at any time, shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented as approved.

If at any time in the future, there is a change in the dog day care operator at the site, a new management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the start of their operation.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of visual and residential amenity and the Green Belt and to accord with Policy DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

5. Notwithstanding the details provided shown on approved drawing 102 Rev E and the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order), details of all boundary fencing shall be submitted to and approved by the Local Planning Authority prior to being erected or installed. Once approved, the details shall be implemented in accordance with the approved scheme before the use hereby permitted is first commenced.

Reason: To preserve and enhance the visual amenities of the locality and the openness of the Green Belt and in the interests of nature conservation and in accordance with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. The development shall be implemented in accordance with mitigation measures set out in the Preliminary Ecological Appraisal Report by Darwin Ecology dated September 2019.

Reasons in the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7. The development shall be implemented in accordance with the times of dog collection, so that they arrive at the site from 08:30 and leave the site by 15:00 hours on Mondays to Fridays only, and operational hours, of 07:30 and 18:00 hours on Mondays to Fridays only, and maximum staffing levels of 15 staff at the site as set out in Bruce's Doggy Day Care Management Report dated September 2019.

Reason: In the interests of visual and residential amenities and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. The use hereby approved shall not commence until the mitigation measures set out in Part 4.3 of the Noise Impact Assessment by Nova Acoustics by Darwin Ecology dated 30 January 2020 have been provided on the site and shall be retained in perpetuity.

Reasons in the interests of residential amenity and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. The development hereby permitted shall not be occupied until details of external lighting are submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the commencement of the approved use.

The details shall include full details of the lighting, a plan showing the location of the lights and full technical specification.

Reason: In the interests of biodiversity, residential and visual amenities and the Green Belt and to accord with Policies DM9 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. The car and cycle parking spaces shown on the approved plan 102 Rev E shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation, to promote sustainable modes of transport and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

11. No soft landscaping works shall take place until full details of both have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of the existing trees and other vegetation to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during any operational works.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

Reason: To preserve and enhance the visual amenities and nature conservation of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. No permanent structures, buildings or chattels associated with the use of the land for the care of dogs shall be placed on the application site without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of visual and residential amenity and the Green Belt and to accord with Policy DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

13. The hard landscaping details (except boundary treatments) shall be implemented in accordance with the details provided on the approved drawing 102 Rev E.

Reasons in the interests of visual and residential amenities and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

14. The use hereby approved shall not commence unless and until three fast charge sockets (current minimum requirements - 7kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated power supply) are provided in accordance with the approved drawing 102 Rev E and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure the provision of on-site parking accommodation, to promote sustainable modes of transport and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. The proposed dog day care business will require licensing under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The Council, as Licensing Authority, will determine any application received in accordance with the relevant and current Government guidance. The maximum number of dogs that can be reasonably kept on the premises taking into account the facilities and staffing provided will be determined and included on the licence.
2. The Workplace (Health, Safety and Welfare) Regulations 1992 require employers to provide for their employees sufficient toilet and washing facilities, drinking water, facilities for rest and to eat meals and accommodation for clothing and facilities for changing. The washing facilities provided for staff should be separate to those used for dog care.
3. It will be expected that the external lighting details, required to be agreed under Condition 8 above, shall only provide for safe access to the building.
4. The soft landscape requirements for Condition 11 above will need to take into consideration the requirements set out in the Preliminary Ecological Appraisal Report by Darwin Ecology dated September 2019.