

Application Number:	P/FUL/2023/05479		
Webpage:	Planning application: P/FUL/2023/05479 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Unit 5, The Barn, Little Lions Farm, Lions Hill, Ashley Heath BH24 2EU		
Proposal:	Change of use of land and buildings to an animal rescue centre with ancillary offices and storage; the demolition of a hay store and silage clamp; the provision of 2 no. single storey extensions to existing buildings; retention of a mobile home for animal welfare; parking; and associated works		
Applicant name:	Shelagh Meredith		
Case Officer:	James Brightman		
Ward Member(s):	Cllrs Bryan and Goringe		
Publicity expiry date:	26 December 2023	Officer site visit date:	16 November 2023
Decision due date:	5 July 2024	Ext(s) of time:	Yes
No of Site Notices:	2 site notices posted 22/10/23		
SN displayed reasoning:	To ensure effective publicity of the application		

1.0 The application comes to committee at the request of the Service Manager for Development Management & Enforcement.

2.0 Summary of recommendation:

REFUSE for the following (summarised) reasons:

1. Inappropriate development in the Greenbelt which would be harmful to openness and would result in encroachment into the countryside
2. Adverse impact on Lion's Hill Site of Special Scientific Interest which is part of the Dorset Heathlands.

3.0 Reason for the recommendation:

The proposal is contrary to the Local Development Plan because it would represent harm to the Green Belt that is not outweighed by any very special circumstances. Additionally, it is judged that the proposal is likely to result in an adverse effect on the integrity of Lion's Hill Site of Special Scientific Interest which is part of the Dorset Heathlands Special Protection Area and Dorset Heaths Special Area of Conservation and no imperative reasons of overriding public interest that would outweigh the harm arising have been identified.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Not acceptable given the potential impact on the Dorset Heathlands.
Impact on the Green Belt	Not acceptable – as the proposal represents inappropriate development, would harm openness and would encroach into the countryside.
Impact on internationally designated nature conservation sites (Lions Hill Site of Special Scientific Interest which is designated as a Habitat Site)	Not acceptable – as it is not possible to reasonably conclude with any certainty that the mitigation offered in the form of the submitted Management Plan would prevent an adverse impact on the designated site from the proposed animal & dog rescue use of the site arising from the future exercising of dogs on the SSSI.
Impact on the character & appearance of the area	Acceptable – as proposed extensions would not have an adverse visual impact.
Impact on the amenity of occupants of nearby dwellings	Acceptable - with conditions to require the site to be operated in accordance with the submitted management plan and Noise Impact Assessment noise mitigation measures
Flood risk and drainage	Acceptable – with conditions imposed to require a detailed surface water management scheme and a maintenance plan for this to be agreed by the Local Planning Authority.
Impact on Highway safety	Acceptable – as the proposal would not present material harm to the transport network or to highway safety.
Impact on biodiversity	Acceptable as proposal accords with the Dorset Biodiversity Appraisal Protocol

5.0 Description of Site

- 5.1 The application site which extends to 6.3 hectares, is in the countryside outside any settlement identified in the Local Plan Policy KS2. It is accessed via a narrow rough surfaced track from the Horton Road which serves a handful of residential properties and also provides access to the Castleman Trailway to the south.
- 5.2 There are several buildings on the site; a single storey office building and a large barn with attached open sided structure in the southern part of the site, and several buildings used for storage in the northern part of the site.
- 5.3 The nearest residential property is Little Lions Farm which lies immediately adjacent to the site to the west and is in the ownership of the applicants. Other nearby properties are Spring Ducks to the north and Forest Gate House to the northwest. Other dwellings at Merragreen, Oaklea Lodge and Grey Willows are further to the north near the Horton Road, with over 200m building to building separation.
- 5.4 Trees grow along all the site's boundaries and provide screening of the existing buildings.
- 5.5 The lawful planning use of the site is as offices/research/light industrial (former Use Class B1 Business, now Class E(g)). Some of the office space at the site is currently being used by the dog rescue charity 'Waggy Tails' for administrative functions (which falls within the lawful use) the remainder are vacant.
- 5.6 The immediate area is rural in character with detached properties set in spacious curtilages and there is significant tree cover.

6.0 Description of Development

- 6.1 It is proposed to change of use of land and buildings from offices/light industrial to an animal rescue centre operated by Waggy Tails, a local animal charity specialising in re-homing dogs, with ancillary offices and storage. The site will replace the existing premises in Canford Magna as that site has reached its capacity. The supporting statement advises the intention is that subject to planning approval, the proposals will be delivered without delay over the next two years, enabling the consolidation of the charity away from Wimborne, so that the existing property can be sold with receipts reinvested at Little Lions Farm.
- 6.2 The proposals include;
 - the demolition of a hay store and silage clamp immediately to the east and south of the barn respectively
 - a low-pitched roof single storey extension to the existing large barn to provide 23 cabins for dogs – some larger cabins would accommodate more than 1 dog (with external runs), kitchen for food preparation, laundry, treatment room and stores. Solar panels to be installed on the roof
 - a smaller flat/mono-pitched roof extension to the existing single storey flat roofed office building
 - retention of a mobile home for animal welfare (to the east of the barn). This is to be used for storage and has been stripped of services that would allow it to function as a dwelling
 - parking and associated works (to include the formation of an enclosed yard (with low wall and railings above) area adjacent to the barn and enclosed dog exercise areas to the south of the barn

- 6.3 The existing large barn is to be used as an indoor exercise and agility area for dogs and the existing office buildings and proposed extension will function as offices and an administration hub for the charity.
- 6.4 The submitted Management Plans states that Little Lions Farm has 17 acres which provides ample space for dog walking, grazing for horses/donkeys, and a large enclosure for hens.
- 6.5 The supporting statement advises that the associated land will be used for animal recreation – dog walking, play, agility and training. Some areas will be enclosed using post and wire fences to allow individual dogs and small groups to be contained/isolated during exercise/training. Other areas will be left open and untouched.
- 6.6 Various outbuildings will be used to store equipment used by the charity.
- 6.7 The existing horse stabling and paddocks will be retained for emergency horse/donkey rescue
- 6.8 There will be no public access into the land from the Castleman Trailway. Nor will there be access from the application site into surrounding sensitive heathland areas.
- 6.9 12 staff are employed (working across different parts of the charity such as the shop in Ferndown and the office). The number of volunteers varies; it is anticipated that there will be on average up to 3 staff and 3 volunteers working at the site on any given day.
- 6.10 There will be up to 2 staff on site overnight to ensure 24-hour supervision and care is provided for the animals. No overnight accommodation is provided.
- 6.11 The delivery of animals to the site are not a regular part of the charity's service. Very occasionally animals do arrive overnight in emergency situations and usually from the police. This is because there are no other 'out of hours' services available in the area so animals might otherwise be destroyed.

7.0 Relevant Planning History

03/00/0494/FUL- Decision: REFUSED - Decision Date: 22/06/2000
Change Of Use Of 4 Outbuildings 2 For Use As Workshops/ Car Repairs & 2 For Use as Storage (retrospective). APPEAL DISMISSED 29/11/2000

03/86/0646/FUL- Decision: GRANTED - Decision Date: 22/09/1986
Agricultural Buildings

03/84/0544/HST- Decision: GRANTED - Decision Date: 01/05/1984
RETENTION OF BUILDINGS FOR BREEDING OF ANIMALS

3/17/2281/PNAGF- Decision: REFUSED - Decision Date: 09/10/2017

Change of use for buildings to be used in association with established business.

3/17/2885/PNAGF- Decision: PRIOR APPROVAL NOT REQUIRED-Decision Date: 30/11/2017 - Change of use of agricultural buildings to a flexible use - to be used in association with established business (Media and Corporate Logistics Business). (B1) Business, Class B8 Storage and Distribution).

3/18/0477/FUL- Decision: GRANTED - Decision Date: 18/05/2018
Changes to route of Private Lane at Little Lions Farm

P/PAP/2022/00816 (Pre-application enquiry) - Decision: RESPONSE GIVEN
-Decision Date: 13/03/2023 - Demolition of existing buildings & erection of new building

In this response the same agent was advised to consult Natural England prior to submitting a planning application to establish what would be acceptable in terms of overnight accommodation and overall impact on designated sites. The applicant chose not to do this and acquired the site before a planning application was submitted.

8.0 List of Constraints

Within the Green Belt;

Tree Preservation Order (EDDC/SL/40) - area of woodland immediately to the west of the access road and to the west of the application site.

Within Dorset heathlands 400m heathland buffer, Description: Lions Hill

Special Area of Conservation (SAC): Dorset Heaths (UK0019857) to the south and east of the site

Special Protection Area (SPA): Dorset Heathlands (UK9010101) to the south and east of the site

Within Site of Special Scientific Interest (SSSI) impact risk zone;

Bournemouth Water Consultation Area

Flood Zone 3- only affects part of the access

Flood Zone 2- only affects part of the access

Risk of Surface Water Flooding Extent 1 in 30- only affects part of the access

Risk of Surface Water Flooding Extent 1 in 100- only affects part of the access

Risk of Surface Water Flooding Extent 1 in 1000- only affects part of the access

Groundwater – Susceptibility to flooding

Dorset Council Land (Freehold): Castleman Trailway (disused railway from Ringwood to West Moors) - Reference 04902- located to the south of the site

Existing ecological network (Polygons) & Higher Potential ecological network

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4198.21 & Avon Valley (UK11005); - Distance: 3562.51

Eastern Area Planning Committee
9 October 2024

Site of nature conservation interests (SNCIS): SU10/016 - Woolsbridge; - Distance:
2.42

Wildlife Present: S41 - bat ;

Minerals and Waste Safeguarding Area - ID: 6216

Minerals and Waste Safeguarding Area - ID: 5732

Minerals and Waste - Sand and Gravel

Radon: Class 1: Less than 1%

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Natural England

Objection in principle

Comments rec'd 8/12/23

The proposal will:

- Have an adverse effect on the integrity of Dorset Heathlands Special Protection Area, Dorset Heaths Special Area of Conservation and Ramsar Site.
- Damage or destroy the interest features for which Lions Hill Site of Special Scientific Interest has been notified.

Further information is required in respect of the mobile home on the site and how access to the designated sites would be secured.

Further comments rec'd 17/5/24 following means of mitigation (management plan) proposed by the applicant's agent

Natural England has to consider a wider range of adverse effects such as the risk of disturbance to SPA birds as well as eutrophication of the heathland habitats which can be from both urine as well as faeces.

Dogs are exercised twice daily and in this location the risk that up to 30 dogs would be walked on the heathland on a twice daily basis, particularly in unfavourable weather conditions cannot be excluded.

Natural England cannot conclude that there is the necessary level of certainty that harm from the proposal would not occur in either the short or long term.

Natural England conclude that it would not be possible to conclude no adverse effect on the integrity of the habitats sites and that the Council should carry out an Appropriate Assessment before reaching a decision.

2. Bournemouth Water

- No comments or concerns

3. Dorset Council Highways

- The proposal does not present a material harm to the transport network or to highway safety.
- In response to a detailed letter of objection on highway safety grounds, the Highways Officer has advised they are satisfied with the clarification on vehicle movements that the agent has provided. An average of 20 movements a day would roughly equate to around two vehicle movements every hour (if it was over an average working day of 8 hours) and this would not be severe in terms of the NPPF.
- It is noted that the site is not open to the public and would be visited by appointment only, is served by a private road with opportunity to pass should two vehicles come across one another and its condition would mean that vehicles would be travelling at relatively low speeds.

4. Dorset Council - Environmental Services – Protection

Initial comments

- Concerns that it is difficult to model and calculate noise levels due to the unpredictability of dog barking and it is not accepted that dogs at a rescue centre will bark less than in boarding kennels.
- Noise management plan requested to demonstrate how dog barking would be managed.

Subsequent comments following receipt of a noise impact assessment

- Should planning permission be granted, suitable conditions should be included to ensure compliance with the noise impact assessment including sound insulation & the erection of a 2m high return on the north end of outdoor runs.

5. Dorset Council – Trees

No significant trees and proposal is acceptable in tree terms.

6. Dorset Council - Flood Risk Management

Initial comments

- Site in Flood Zone 1 but high ground water levels and potential for flooding identified.
- Significant fluvial and some surface water flood risk is shown to impact parts of the access road (Lions Hill Way) to the north.
- The submitted Flood Risk Assessment includes very limited details with regards to their proposals for surface water management. Soakaways are indicated but may not be viable.
- In the absence of a substantiated SW strategy, based upon an assessment of site characteristics, we recommend that a (Holding) Objection be applied to this proposal.

Further comments following receipt of further information

- The applicant intends to follow the Sustainable Drainage Systems (SuDS) hierarchy and has proposed to prioritise infiltration as a means of surface water management.
- The applicant has suggested that a pond may be used for attenuation if infiltration is not viable. A restricted discharge of surface water to a nearby watercourse would appear feasible due to the site's proximity to an ordinary watercourse.
- The development will result in an increase in floor area of 316m² and only some of this will result in an actual increase in impermeable surfaces due to most of the proposed extensions being built over existing hardstanding.
- Although the development is 'major', the overall increase in impermeable surface area is minor and any resultant increase in surface water runoff will be relatively small. Despite this, all runoff must be managed on site and disposed of in a manner that does not increase flood risk on or off site.
- The submitted information provides adequate surface water management details for the scale of development. The LLFA recommend conditions and informative notes are included on any permission granted to require a detailed surface water management scheme pre-commencement; maintenance and management plan & an Ordinary watercourse informative note.

7. Dorset Council Natural Environment Team

- The development falls within the Dorset Biodiversity Appraisal Protocol (DBAP) criteria.

8. St Leonards & St Ives Parish Council

Object for the following reasons:

1. Impact on Green Belt- significant effect on the openness, character and tranquillity of the space. Negative impacts for neighbour and visitor amenity.
2. Unsuitable access tracks- narrow, gravel tracks with many potholes, not suitable for the anticipated number of vehicles that could use the facility. The track from Lions Lane will be especially dangerous as it provides three access points to the heath and is used extensively visitors but has no pavement. Heavy use of this track by vehicles would be a major hazard for pedestrians, horse riders and dog walkers.
3. Significant environmental concern arising from the treatment of waste and its safe disposal.
4. Noise is a significant concern. The PC believes the noise calculations produced by the consultant appear inaccurate and don't reflect the actual noise that will be produced. Dogs by their nature will bark when other dogs bark. This chain reaction will be constant at all times – night and day. Noise will not be contained to the internal areas of the building and will result in nuisance for neighbours. No baffling.
5. Lack of clarity on the number of kennels and the number of dogs to be housed. Lack of clarity over staff numbers and sleeping quarters for staff. It is believed that dogs require 24 hour supervision so it is anticipated that staff sleeping quarters would be required. This is not shown in detail.

Representations received

Total - Objections	Total - Support	Total - Comments
15	93	1

Petitions Objecting	Petitions Supporting
0	1- 544 Signatures

Summary of comments of objections:

- Harm to highway safety: high traffic flow anticipated; traffic flow presented is an underestimate. Unsuitable access- lacks passing spaces, access onto Horton Rd not suitable as width of junction makes it impossible to pass vehicles. Conflict anticipated between vehicles generated by the proposal and commercial vehicles using the track and other users of the track including horse riders
- Noise & vibration from traffic movements; harmful impact affecting the quiet and private nature of the lane and surrounding properties
- Noise from animals- already noise from dogs barking using the enclosed training area at the site, existing premises Magna Road do not have properties so close by.

- Damage to access track- from additional movements. Application should provide substantial improvements to the track and ongoing maintenance
- Customers of the dog walking facilities at the site have parked on the pavement in front of properties nearby
- No right of access from the South
- No access by public transport
- Impact on users of the Castleman railway
- Design and access statement required
- The number of employees on the site will fall
- Proposed extension contrary to Green Belt (GB) policy & impact on GB openness
- Impact on Lions Hill Special Protection Area (SPA) from dog walking and impact on protected species from staff on site
- Clarity required regarding overnight staff accommodation and additional impact from this on the SPA
- Impact from flooding on access road
- Increase in sewage from site and dog waste
- Impact from kennel washing on nearby Moors River
- Impact on deer bred on the adjacent farm at Mumper's Dingle and other farm animals
- crime and invasion of privacy
- devaluation of local properties
- benefits do not outweigh harm

Summary of comments of support:

- Shortage of dog rehoming capacity in Dorset and nationally; Waggy Tails will reduce dog euthanasia, providing an exceptional service for rescue dogs
- Urgent need for better facilities given the increasing demand for emergency animal housing especially following the global pandemic and ongoing cost of living crisis and the proposal will enhance the charity's ability to meet this need and address animal welfare
- Waggy Tails are a respectful operator at its existing site in respect of nearby residents. BCP Councillor advises he has had no complaints from local residents and the site is quiet
- Existing premises at Magna Rd is too small to meet demand
- The proposed facility will provide improved facilities for the well-being of the animals in the charity's care
- Waggy Tails has developed a comprehensive mitigation plan that includes not exercising dogs on the heathland, ensuring dog waste is appropriately managed and using ample space within the new site to prevent any disturbance to the surrounding environment
- Applicants would give their neighbours the utmost consideration
- The security and welfare arrangements are very good
- Rural nature of the site will be unchanged
- Proposal will offer sanctuary for other animals such as horses, goats and donkeys

- Would provide increase space to exercise off the lead for the larger dogs within the secured compounds. This would stimulate the dogs and lead to less nuisance
- Dogs are held securely with two attachments on their leads and there is little opportunity for them to escape. Two people employed to walk larger dogs and volunteers receive training regarding safe practices. Dogs only off lead inside secure enclosures.
- Wildlife Rescue charity (Ringwood) supportive of the proposal
- Difficulty in finding suitable sites for the proposed use
- Lack of other charities that offer the same service in the area
- With the current and increasing countrywide dog abandonment issue it would be a possibly attractive cost saving for there to be a centralised and dedicated Dorset /BCP Animal Rescue centre with accompanying service level agreements.

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11.0 Relevant Policies

Development Plan

Christchurch & East Dorset Core Strategy Part 1 2014 (Local Plan)

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

KS3 - Green Belt

KS11 - Transport and Development

KS12- Parking Provision

HE2 - Design of new development

HE3 - Landscape Quality

ME1- Safeguarding biodiversity and geodiversity

ME2 – Dorset Heathlands

ME6- Flood Management, Mitigation and Defence

PC4- The Rural Economy

Saved Policy DES2 of the East Dorset Local Plan 2002

Material Considerations

Emerging Local Plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

Paragraph 11 sets out the presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed beautiful new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 13: 'Protecting Green belt Land'. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paras 152 to 155 of particular relevance.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- Paragraph 180 protecting sites of biodiversity value, Paragraph 186 b) 'if development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.
- Dorset Biodiversity Appraisal Protocol

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

Subject to compliance with the submitted management plan it is considered that the proposed development would not disadvantage persons with protected characteristics.

14.0 Financial benefits

What	Amount / Value
Material Considerations	
8 full-time employees proposed and these are additional with possibility of further employees in the future.	
Non-material Considerations	
Business rates	Unknown, although charities receive an 80% reduction in rates
CIL	Not liable as the applicants are a registered charity

15.0 Environmental Implications

15.1 There will be environmental impacts from the construction of the extensions resulting in some waste and fuel powered vehicle and equipment emissions. Suitable drainage will prevent any additional impact on terms of flood risk. Biodiversity enhancement measures will be secured via the approved Biodiversity Plan.

16.0 Planning Assessment

16.1 The main considerations for this application are:

- The principle of development
- Impact on the Green Belt
- Impact on internationally designated nature conservation sites

- Impact on the character and appearance of the area
- Impact on neighbouring amenity
- Flood risk and Drainage
- Highway Safety
- Social benefits

These and other considerations are set out below.

Principle of development

- 16.2 Policy KS2 directs development to settlements where infrastructure, services and facilities can be provided. The application site lies in the countryside in which might be described as a hamlet where policy KS2 identifies that development is not allowed unless it is functionally required to be in the rural area. Whilst recognising that the application site has been chosen because it meets the applicant's requirements for space, officers do not consider that there is a functional requirement for the proposed dog rescue centre to be located in a rural area.
- 16.3 The Christchurch and East Dorset Local Plan policy PC4 allows some small scale economic development on or on the edge of existing settlements and notes that proposals for the conversion and re-use of appropriately located and suitable constructed existing buildings in the countryside should ensure that (inter alia): when considering proposals that involve a loss of economic activity then proposals do not adversely impact on the economic, social and environmental sustainability of the area; proposals do not have a materially greater impact on the openness of the Green Belt and the purposes of including land within it; and the benefits outweigh the harms in relation to 6 criteria including the potential impact on the countryside, landscapes and wildlife.
- 16.4 The proposal will result in the loss of B1 space, but the charity use will retain some employees on the site, supplemented by volunteers. Due to the modest scale of existing use, no demonstrable adverse economic impact is anticipated.
- 16.5 The principle of development is not acceptable because of the likely significant impacts from the proposed use for dog kennels on the integrity of the adjacent Dorset Heathlands Habitat Sites in conflict with Policy ME1 and policy PC4 of the Core Strategy. This reasoning is elaborated upon later in this report.

Impact on the Green Belt

- 16.6 The former agricultural buildings benefit from office use (former Use Class B1, now Class E(g)) following the grant of prior approval (3/17/2885/PNAGF). This is the valid fall back in respect of the consideration of the application.

Whether the extensions are appropriate development in the Green Belt

- 16.7 To consider whether the proposals are acceptable in the Green Belt in respect of the National Planning Policy Framework (NPPF), it is necessary to assess them against the provisions of paragraphs 154 and 155 which set out the forms of appropriate development.

16.8 As extensions to existing buildings, the proposed extensions fall to be considered under paragraph 154 c). This states that extensions to existing buildings are appropriate development provided they do not result in disproportionate additions over and above the size of the original building. The volume of development is a useful measure of whether extensions are proportionate.

16.9 The table below sets out the existing and proposed volumes of the buildings and proposed extensions and the percentage increase in volume resulting from the extensions:

Existing	Proposed	% increase
Offices – 400 cubic metres	Extension – 44 cubic metres	11
Barn – 1370 cubic metres	Extension – 845 cubic metres	61

16.10 Although a significant increase in volume, the design of the barn extension with its very low pitch roof and its significant degree of physical subservience to the much higher and bulkier existing barn, means that the visual impact on openness might allow an on-balance judgement that the extensions were proportionate. However, the further additional built form, comprising walls with railings above to create external kennels, results in a cumulative increase which is judged to exceed that which could reasonably be considered proportionate to the size of the original barn so the proposal cannot benefit from NPPF paragraph 154 c).

16.11 Neither can the proposal benefit from the exception at NPPF paragraph 154 g) which allows limiting infilling or the partial or complete redevelopment of previously developed land. In this case the proposed development extends south and east beyond the modest curtilage of the buildings benefiting from an office use. The removal of the hay barn and silage pit structures cannot be included as a benefit since these remain in agricultural use, so the land does not fall within the definition of previously developed land. The proposed development would have a greater impact on the openness of the Green Belt than the existing development.

Whether the change of use of the site is appropriate in the Green Belt

16.12 The change of use of land is only appropriate in the Green Belt where it preserves openness and does not conflict with the purposes of including land in the Green Belt.

16.13 The outside yard and fenced exercise areas would have some modest impact on Green Belt openness from the introduction of Heras metal fencing for the exercise areas, but it is anticipated that the change of use, of itself could preserve openness.

Whether the change of use of existing building is appropriate in the Green Belt

16.14 The use of the other buildings on the site in association with the proposed animal rescue use is appropriate development under NPPF paragraph 155 d) as the re-use involves buildings of permanent and substantial construction, although the proposed use is associated with the extension to the barn described above which is itself inappropriate.

Overall impact on openness

- 16.15 The proposed extension to the barn (including the external kennels) would impact on the spatial and visual openness of the Green Belt by reason of the physical form which will expand development south and eastwards.

Summary

- 16.16 The proposed extensions to the Barn including animal pens represent inappropriate development in the Green Belt which is by definition harmful. There will also be some harm to the openness of the Green Belt and encroachment into the countryside contrary to the purposes of the Green Belt. The proposal fails to accord with the NPPF Green Belt policy accordingly.

Impact on internationally designated nature conservation sites

- 16.17 Local Plan policy ME1 'Safeguarding Biodiversity and Geodiversity' aims to protect, maintain and enhance the condition of all types of nature conservation sites. It is necessary for the Council to assess the direct, indirect and cumulative impacts of proposals relative to the significance of the features' nature conservation value. National policy is to be applied to ensure the level of protection afforded international, national and locally designated sites is commensurate with their status.
- 16.18 NPPF paragraph 180 requires planning decisions to '*contribute to and enhance the natural and local environment by a) protecting and enhancing...sites of biodiversity...in a manner commensurate with their statutory status or identified quality in the development plan*').
- 16.19 At paragraph 186 of the NPPF decision makers are advised to apply the following principles:
'a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest...'
- 16.20 NPPF paragraph 188 advises that where a plan or project is likely to have a significant effect on a habitats sites (either alone or in combination with other plans and projects), the presumption in favour of sustainable development does not apply unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 16.21 The application site lies approximately 100m of heathland that forms part of Lions Hill Site of Special Scientific Interest (SSSI) and in the vicinity of other SSSIs including the Moors River System and Holt and West Moors Heaths. The heathland SSSIs are designated as part of the Dorset Heathlands Special Protection Area (SPA) on account of rare or vulnerable heathland bird species and is also part of a

Ramsar site on account of rare or vulnerable heathland wetlands and associated rare wetland species. The SSSIs are additionally part of the Dorset Heaths Special Areas of Conservation (SACs) on account of rare or vulnerable heathland and associated habitats and some individual species.

- 16.22 Given the proximity of the European sites (SPA and SACs) to the application site, and the proposed use of the site to provide accommodation for rescue dogs and other rescue animals which have the potential to have significant effects on the Lions Hill SSSI, the proposal needs to be considered under the requirements of the Habitats Directive 1992 as these sites are to be maintained or, where necessary, restored at a favourable conservation status (Article 3(1)).
- 16.23 Determination of the application should be undertaken with regard to the requirements of The Conservation of Habitats and Species Regulations 2017, in particular Regulations 63 and 64; and also legislative and policy considerations on the protection, conservation and enhancement of the heathland special interest features of the SSSIs.
- 16.24 The Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document (SPD) sets out a strategy for the avoidance and mitigation of impacts of new residential development upon the Dorset Heathlands and its overall objective is to establish a framework under which applications for development likely to have a significant effect on the Dorset Heathlands can be permitted (or should be refused) so that any adverse effects on the integrity of the Dorset Heathlands are avoided. Although the proposal is not residential in nature, some of the main urban effects on lowland heathland in Dorset identified by the SPD are relevant and the guidance on residential effects is useful when considering cumulative impacts.
- 16.25 The Council's pre-application advice (P/PAP/2022/00816) dated 13/3/23 highlighted the need to protect the integrity of Habitats Sites and advised the applicant to seek Natural England's view on the proposed animal rescue use before submitting a planning application. It appears that this advice was not taken, and the applicant purchased the land and submitted the planning application without seeking Natural England's advice.
- 16.26 The proposal is not directly connected with or necessary to the management of the habitats/European sites and Natural England has confirmed that it is of a nature that, in its context with the habitats/European sites and the vulnerability of interest features to residential development effects, is likely to have a significant effect both on the SPA and the SAC, at least in combination with other plans and projects.
- 16.27 Natural England also considers that the proposal would have a significant effect on the Ramsar site as this shares many of the interest features of the SAC. Government policy requires Ramsar sites to be treated in the same way as habitats/European sites and therefore an appropriate assessment should also be applied to this site.
- 16.28 Natural England originally objected to the proposal pending consideration of an appropriate assessment to be undertaken by the Local Planning Authority under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 and advised that it is likely to be only in exceptional circumstances that the Council will

be convinced that, in combination with other plans and projects, the effects or increased risk arising from the proposed use very close to the habitats/European sites would not add to adverse pressures on the integrity of these sites.

- 16.29 The applicant has been given the opportunity to respond to concerns raised by Natural England's consultation responses. In support of the proposal, they have advanced the following to support their contention that risk to the heathland is low:
- Waggy Tails is an existing facility that is wholly relocating within the same heathland catchment. They currently occupy premises at Helen's House, near Wimborne which is approximately 700m from the heathland. These premises extend to approximately 0.3ha including a small area of green space for recreation which is insufficient for their current dog-walking needs. The heath is easily accessible via a network of nearby public rights of way.
 - Waggy Tails chooses not to use the heathland for dog walking at all as the sandy ground conditions are not good for dog's coats and paws and can be very hot underfoot during the summer. The heaths can also provide habitat for snakes which they wish to keep away from the dogs (and vice versa).
 - There was no objection from Natural England to the 2018 proposed expansion of the number of dogs to be accommodated at Helen's House subject to a condition regarding a code of practice for dog walking. A similar management plan can be adopted to control the exercise of dogs.
 - The 6ha of fenced, private open space at Little Lions Farm can be operated like a Suitable Alternative Natural Greenspace (SANG) and is ideal for walking and training dogs without encounters with the public and their animals.
 - Longer walks are available from the site along the Castleman Trailway but access could be restricted if Natural England are concerned about this
 - Dogs are always kept on leads when being walked on public and private land
 - The land will not be made available to the public to exercise dogs
 - The use generates very little noise as it is not a boarding kennels; dogs live as near as possible to a home environment and are attended to immediately if there is an issue.
 - A management plan could be secured by legal agreement
 - Regular engagement with/monitoring by the Council's dog warden could be secured to monitor compliance
- 16.30 A management plan was submitted on 19 April 2024 which clarifies the following in relation to the heathlands:
- The trailway may be used occasionally in exceptional circumstances. Dogs will be on leads, one to one with a handler.
 - Dogs will not be walked on the heath
 - Dog faeces will be collected in the appropriate way- the Charity has a regular 'yellow' bin service
- 16.31 Officers are satisfied that the mobile home on the site has been stripped of facilities and will be used for storage rather than accommodation and there will be no overnight occupation by employees/volunteers.

- 16.32 Natural England has advised that from the information provided they are unable to conclude that adverse effects on the nearby designated sites can be avoided at a level of certainty which is commensurate with the requirements of The Conservation of Habitats and Species Regulations 2017. They have explained that:
- Little if any weight can be given to a reduction in pressure at Canford; the current facility at Canford Magna is remote from the heath with no direct access other than by driving there. There is a bespoke SANG with car parking to the north to reduce pressures.
 - Dogs are exercised twice daily and the risk of exercise taking place on the heathland over the lifetime of the proposal cannot be excluded
 - The proposed mitigation approaches are of a kind which are voluntary and dependent on consistent staff/volunteer management over time.
 - It is not clear that the authority is adequately resourced to take responsibility for the necessary monitoring and any enforcement action
- 16.33 The Council has undertaken an appropriate assessment which identifies the following likely impacts:
- Increased levels of access related to the exercise of rescued animals, in particular dogs (30 kennels are proposed), on the designated site; the Lions Hill SSSI is open countryside only a short walk from the site resulting in:
 - Enrichment of the site from faeces
 - Increased footfall leading to erosion on the paths
 - Disturbance to SPA birds, including displacement
 - Increased difficulty delivering the conservation management of the area.
- The likelihood of harm has been considered alone and in combination with the effects of other development of all types that raise the types of effects arising from human domestic occupancy of land nearby.
- 16.34 The avoidance/mitigation measures identified by the organisation have been carefully considered but, due to the proximity between the application site and the accessible protected heathland and the reliance on volunteers complying with a Trust policy in both the short and long term, officers are not satisfied that these arrangements can be effectively secured in perpetuity. It has therefore not been possible to positively conclude the appropriate assessment.
- 16.35 Although the service provided by the charity Waggy Tails is valued and it is recognised that expansion of their facilities would be beneficial for animals in their care, it is not considered that there are imperative reasons of overriding public interest that would justify approval of the proposal where it has not been demonstrated that harm to internationally designated Habitat Sites would be avoided.
- 16.36 The proposal is contrary to policies ME1: Safeguarding biodiversity and geodiversity, ME2: Dorset Heathlands of the Core Strategy and PC4: The rural economy as well as paragraph 186 of the NPPF.

Impact on the character and appearance of the area

- 16.37 The application site is in a rural area on land used formerly for agriculture and this land can now be used lawfully for office and light industrial uses (Use Class E(g)) which are commercial. There are dwellings in the area, woodland blocks, boundary hedges and trees and the character of the area is informal and well-vegetated.
- 16.38 The proposals would re-use existing buildings of permanent and substantial construction and would not require major rebuilding. The buildings are well screened and not readily visible from the access track or the Castleman Trailway.
- 16.39 As the site is not in an area that is well served by public transport, staff and volunteers are likely to rely upon private vehicles and deliveries will also be associated with the proposed use, but the site is already in use for offices/light industrial. The anticipated trip rates are not anticipated to adversely impact on the rural character of the area.
- 16.40 The site is not in any protected landscape and the proposal would have no adverse effect on the landscape in the immediate area given the small scale of the extensions and tree screening around the site. There is no conflict with Core Strategy Policy HE3 accordingly.

Impact on the amenity of occupants of nearby dwellings

- 16.41 Policy HE2 requires that development should be compatible with nearby properties including minimising general disturbance to amenity and saved policy DES2 sets out criteria for development to avoid unacceptable impacts from pollution including noise.
- 16.42 The proposed use for keeping dogs and other animals has potential for noise disturbance for the closest residential properties. The application is supported by a Noise Impact Assessment.
- 16.43 Breakwater, a neighbouring dwelling lies approximately 10m from the northern boundary of the application site. The northern buildings are identified for ancillary storage and the proposed dog accommodation is approximately 80m south of that neighbouring dwelling. The proposal would be closer to residential properties than the current site at Helen's House, 143 Magna Road, Poole.
- 16.44 The Council's Environmental Health Officer (EHO) originally raised concerns about the potential for barking dogs to cause nuisance to the occupants of the nearest properties. They advised that it is difficult to model and calculate noise levels due to the unpredictability of dog barking and they could not agree with the applicant's assertion that dogs at a rescue centre will bark less than in a boarding kennels.
- 16.45 The EHO advised that a Noise Management Plan (NMP) should be written to demonstrate how dog barking will be managed and if acceptable the NMP could be conditioned should planning permission be granted.
- 16.46 To address these concerns, the applicant's agent submitted a management plan for the site including the following measures:
- The number of dogs to be agreed with the local authority

- Dogs to be accompanied at all times and on leads outside their cabins (unless in secure exercise area where they will still be accompanied)
- Barking dogs to be attended by staff within a few minutes and a remedy sought to prevent reoccurrence
- Cabins with outdoor runs to be located on the south side of the block
- Any complaints to be investigated, logged and followed up within 24 hours. If specific causes of regular complaint are identified, methods of mitigation or management of these causes will be investigated and implemented where practicable and reasonable
- Animal welfare staff and volunteers trained in animal management and first aid with regular updates
- A manager on duty at all times with responsibility for management controls. Other staff may assume the role following suitable training.

16.47 In response to the management plan, the EHO has advised that any permission should be subject to a condition to secure a specified sound insulation performance, the installation of a 2m high return on the north end of the outdoor runs (closeboard fence/blockwork or cladding material) and operation in accordance with the management plan for the life of the approved development.

16.48 Vehicles using the track carrying staff, animals or supplies for the charity could result in some disturbance to users of the track and occupants of properties close to the track but the organisation has confirmed that overnight arrivals would be occasional and compared to the lawful use of the site for agriculture and commercial uses in Class E(g) (Commercial, Business and Service) of the Use Classes Order, it cannot reasonably be concluded there would be a significantly greater amount of traffic generated. Therefore, no harm is anticipated.

16.49 Subject to the proposed condition it is judged that the proposal would not result in a harmful impact on the amenity of occupants of the nearest residential properties from noise and the proposal is compliant with Local Plan policy HE2 and saved policy DES2 of the East Dorset Local Plan 2002.

Flood risk and drainage

16.50 The Council's Strategic Flood Risk Assessment suggests that the whole site is susceptible to high groundwater levels and associated flood risk. The majority of the site outside of any area at risk from surface water flooding, although a short section of the access track is at a 1 in 30 and 1 in 100 year risk of surface water flooding. There is no risk from fluvial flooding.

16.51 The site has a potential alternative access where Lions Hill Way continues to the south that is not predicted to flood and could be used in an event where the north access was restricted by flooding.

16.52 As a major application, the application was referred to the Lead Local Flood Authority (LLFA) who originally issued a Holding Objection subject to receipt of a surface water drainage strategy to show sufficient evidence to demonstrate that a viable Sustainable Drainage System (SuDS) scheme can be delivered for the proposed development.

16.53 The applicant subsequently submitted additional information that advised:

- they intend to follow the SuDS hierarchy and has proposed to prioritise infiltration as a means of surface water management.
- a pond may be used for attenuation in the event that infiltration turns out not to be viable and a restricted discharge of surface water to a nearby watercourse would appear feasible due to the site's proximity to an ordinary watercourse.
- The development will result in an increase in floor area of 316m² and only some of this will result in an actual increase in impermeable surfaces due to most of the proposed extensions being built over existing hardstanding. So, although the development has been defined as major the overall increase in impermeable surface area is minor in nature and any resultant increase in surface water runoff will be relatively small. Despite this all runoff must be managed on site and disposed of in manner that does not increase flood risk on or off site.

16.54 The Council's Flood Risk Manager LLFA is satisfied that the submitted information provides adequate surface water management details for the scale of development and for this stage in the planning process. They have recommended that any permission is subject to conditions to secure a detailed surface water management scheme for the site and maintenance and management of that scheme.

16.55 With these conditions in place, the proposal accords with Core Strategy Policy ME6 and the policy set out in Chapter 14: Meeting the challenge of climate change, flooding and coastal change of the NPPF.

Impact on Highway safety

16.56 Policy KS11 encourages the location of development where it reduces the need to travel. The application site is not in a sustainable location in respect of accessibility but it is acknowledge that it is a relatively modest proposal. KS11 also requires development to provide safe access onto the existing transport network and save movement of development related trips on the immediate network. Policy KS12 requires that adequate parking be provided.

16.57 The agent has advised that the charity operate 24/7 and there are generally 3 staff on duty and 1-2 volunteers during the day. There are 2 staff on duty overnight and approximately 15-20 vehicle movements/day from staff which are generally outside peak hours.

16.58 The charity has few deliveries with the post and a stationary order once a month. The site is not open to the public and visits are by appointment only so are minimal. On average 2 dogs a week are rehomed, and this results in around 6 – 8 vehicle movements/week associated with moving dogs.

16.59 The application site is accessed from Horton Rd which is a Class C classified road and a single vehicle width, unsurfaced and uneven track provides access from the Horton Rd to the site which also provides access for several residential dwellings.

- 16.60 The Council's Highways Officer has considered the objections received in respect of impact on highway safety and is satisfied with the clarification on vehicle movements that the agent has provided.
- 16.61 The Highways Officer advises that an average of 20 movements a day would roughly equate to around two vehicle movements every hour (if it was over an average working day of 8 hours) and this would not be severe in terms of the NPPF.
- 16.62 As the site is not open to the public and would be by appointment only, in addition to the fact that it is a private road, with it having opportunity to pass should two vehicles come across one another, and that its condition would mean that vehicles would be travelling at relatively low speeds, no objection is raised.
- 16.63 On this basis, it is considered that the proposal does not present a material harm to the transport network or to highway safety and Core Strategy Policy KS11 is complied with.

Impact on biodiversity

- 16.64 The biodiversity plan that has been approved by the Council's Natural Environment Team requires tree protection fencing to be erected prior to construction; any vegetation clearance to take place outside the peak bird nesting season (1st of March to the 31st of August) and sets out biodiversity enhancements to provide bat and bird boxes. Two bat boxes will be installed on retained mature trees within the site and one bird box will be installed on a mature tree on the woodland edge. A log pile will be created along the woodland edge to provide habitat for invertebrates.
- 16.65 These measures are sufficient to ensure the proposal provides the necessary biodiversity mitigation and enhancements and Policy ME1 of the Core Strategy would be complied with.

Social Benefits

- 16.66 The applicant has explained that Waggy Tails provides an essential service for the community. The organisation was established in 1997 as a registered charity and is an animal welfare organisation caring for animals looking for new homes. It is understood that nearly 5,000 dogs, and other animals, have been taken in and rehomed.
- 16.67 The charity operates in East Dorset and West Hampshire and South Wiltshire. Occasionally animals are homed further afield if a really good home is offered.
- 16.68 The charity has a no destruction policy i.e. no healthy animal is ever put to sleep without veterinary advice. Older animals, and those with disabilities which are difficult to home are cared for at the Sanctuary or in permanent foster homes. The charity remains responsible for the overall care and veterinary bills for these animals.
- 16.69 The applicants have explained that the global pandemic, followed by the cost-of-living crisis, has resulted in rapid increase in need for emergency accommodation for animals, whose owners feel that they are no longer able to care for their pets.

- 16.70 This increase has resulted in Waggy Tails operating at, if not beyond capacity at its current premises in Canford Magna for some time.
- 16.71 The charity has found it difficult to find an appropriate premises with land to support its operations but identified Little Lions Farm (purchased in August 2022) as having the potential to meet its need for larger premises to provide the animals in its care with better accommodation, and enable care of more species. The charity has identified welfare needs for horses, donkeys and others in this area.

Very special circumstances & Conclusion

- 16.72 The proposal would represent inappropriate development in the Green Belt which is given substantial weight. Additionally, the weight to be afforded to the likely significant impacts on the Dorset Heathlands from the exercising of dogs housed at the site on the heathlands, given the lack of certainty that has been provided that the Management Plan would prevent these impacts in perpetuity, carries substantial weight.
- 16.73 It is recognised there is an acute shortage of rehoming centres for dogs in the area and the demand for rehoming is high, stemming from the rise in dog ownership during the covid pandemic and the increased cost of living. This acute need for dog rehoming centres is therefore afforded weight, the degree of weight that can be given is limited because the proposal is for a replacement facility; it is intended to replace the existing Waggy Tails facility in Canford Magna with a similar capacity to house dogs (30 kennels). It is understood that funds from the sale of the existing facility would go towards the new premises, but the Canford Magna facility is considered to be a more sustainable location for housing animals as it is close to the conurbation.
- 16.74 The proposal would re-use some currently vacant buildings in a rural area and the noise impacts from the proposal could be controlled by conditions to prevent a harmful impact on the amenity of the occupiers of the nearest dwellings. The charity is only using the offices at the site at present. The site benefits from existing tree and vegetation screening meaning there would be no adverse impact on the character of the immediate area and there would be no material impact on highway safety, but these issues are neutral in the planning balance.
- 16.75 Reference has been made by the applicants to the opportunities afforded by the land at Little Lions Farm to diversify the animals that the charity supports, but limited evidence has been provided that this is a realistic prospect. Although the benefits of additional outdoor space for the charity compared to its existing premises are recognised, these are not judged so special as to outweigh the harm to the Green Belt and other harm arising.
- 16.76 Overall, it is not judged that the benefits of the proposal would clearly outweigh the harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal or harm to a protected Habitats Site and Site of Special Scientific Interest. There are no imperative reasons of overriding public interest that would justify approval of the scheme which is likely to result in significant harm to the

integrity of Habitat Sites. The proposal is contrary to Policies ME1 of the Christchurch & East Dorset Core Strategy 2014 and paragraphs 186 b) and 142-143 and 152-155 of the NPPF.

17.0 Conclusion

For the above reasons refusal is recommended.

18.0 Recommendation: Refuse permission for the reasons set out below:

1. The application site lies within the South East Dorset Green Belt. The proposed disproportionate extension to the existing Barn building and change of use of land to provide an enclosed yard would represent inappropriate development in the Green Belt which is harmful to openness and would represent encroachment into the countryside contrary to the purposes of including land within the Green Belt. No very special circumstances have been identified that would outweigh the harm arising to the Green Belt and any other harm. The proposal is contrary to paragraphs 142-143 and 152-155 of the National Planning Policy Framework (2023).
2. At its closest point, the application site boundary is immediately adjacent to Lions Hill Site of Special Scientific Interest (SSSI) which is also designated as part of the Dorset Heathlands Special Protection Area (SPA) and Ramsar and Dorset Heaths Special Area of Conservation (SAC). It is not possible to reasonably conclude with any certainty that the mitigation offered in the form of the submitted Management Plan would prevent an adverse impact on the designated site from the proposed animal & dog rescue use, arising from the future exercising of dogs on the SSSI. Therefore, the proposal is contrary to Policy ME1 of the Christchurch and East Dorset Core Strategy (2014) and paragraph 186b) of Section 15 of the National Planning Policy Framework December 2023 as it cannot be concluded that there would be no adverse effect on the integrity of the Dorset Heathlands from the proposal.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

2. The plans that were considered by the Council in making this decision are:

- 51259-P1-01-SLP A Location Plan
- 51259-E1-01 A Existing Block Plan
- 51259-E1-02 Existing Ground Floor Plan
- 51259-E1-02 Existing Roof Plan
- 51259-E3-02 Existing Elevations
- 51259-E3-02 Existing Inner Elevations
- 51259-P5-01 Existing & Proposed Section
- 51259-P1-01 A Proposed Block Plan
- 51259-P2-01 A Proposed Ground Floor Plan
- 51259-P2-02 A Proposed Roof Plan
- 51259-P3-01 A Proposed Elevations
- 51259-P3-02 A Proposed Inner Elevations