Development Management - Delegated Officer Report

Application Number: AWDM/0899/12 **Recommendation – Approve**

Site: **26 Dolphin Road, Shoreham-By-Sea, West Sussex BN43 6PB**

Proposal: **Variation of condition 3 of planning permission ADWM/0595/11 to allow overnight boarding in 3 rooms for up to 10 dogs and provision of overnight staff accommodation (retrospective)**

Date of site visit: 19 July 2012

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Temporary planning permission was granted in October 2011 (expiring October 2016) for the change of use of 26 Dolphin Road from industrial use to a day care facility for dogs (AWDM/0595/11 refers). Condition 3 of the permission states:

"No dogs shall be kept on the premises overnight
Reason: In the interests of amenity having regard to saved policy AG1 of the Adur District Local Plan"

However, since opening, the facility has provided three rooms at first floor towards the front of the building for overnight accommodation for dogs. A room has also been provided on the ground floor for overnight staff accommodation, to care for the dogs.

This application seeks retrospective permission to vary Condition 3 to allow up to 10 dogs to stay overnight in the three rooms and to retain the overnight staff accommodation, which consists of a single room containing a bed, sink, fridge and washing machine.

Relevant site history

As referred to above

Consultations

West Sussex County Council: No objection from a highway point of view

Adur & Worthing Councils: The Environmental Health Officer has no adverse comments

Representations

1 email of support received from an address in Worthing. They consider the proposal to be of benefit in employment terms; it will reduce traffic and will enable increased flexibility in the care of the dogs.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE2, AE4
National Planning Policy Framework (CLG 2012)

Planning Assessment

Residential amenity

The main consideration is the impact of keeping dogs overnight; primarily whether noise from barking dogs would give rise to unacceptable disturbance to nearby residential occupiers in Corbyn Crescent.

The unit is over 30m from the nearest dwelling and is separated from it by another industrial building. The dogs are kept within the building and the applicants have previously stated that they must conform to strict entry requirements to ensure minimal barking. The keeping of up to 10 dogs overnight should not therefore result in any increased noise or disturbance to local residents.

Principle of staff accommodation

The keeping of dogs overnight necessitates an element of care which is provided by staff staying overnight at the premises within the room on the ground floor (located behind the entrance counter). It is considered that, provided the occupation is limited to staff looking after dogs only and is restricted to a single room, there is no objection in principle to staff accommodation being provided here.

Recommendation

APPROVE for the reason:-

The keeping of a limited number of dogs overnight would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. The associated staff accommodation is considered to be reasonable subject to suitable restrictions. The proposal consequently does not conflict with the saved policies of the Adur District Local Plan (AG1).

Subject to Conditions:-

1. Temporary permission expiring Oct 2016
2. Hours of opening
3. Keeping of dogs overnight restricted to maximum of 10

4. The staff accommodation hereby permitted shall be limited to the single room identified on the submitted ground floor plan and shall be occupied only as short-term overnight accommodation by staff employed at the premises for the purposes of caring for dogs within the premises and it shall not be used as permanent place of residence.
5. Permission relates to approved plans

Is recommendation contrary to letter(s) of representation? N

Case Officer: Peter Barnett Date: 4 September 2012

Authorised by: Gary Peck Date: 4 September 2012