
Birling Downs	569109 160148	26.05.2006	TM/06/01554/FL
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Proposal:	Removal of existing small animals building and construction of replacement small animals accommodation
Location:	RSPCA Centre 199 Castle Way Leybourne West Malling Kent ME19 5HW
Applicant:	RSPCA

1. Description:

1.1 The proposal seeks planning permission to remove the existing small animal building and to construct replacement small animals accommodation.

2. The Site:

2.1 The site is situated within the MGB, AONB and SLA. The site consists of a number of single storey and two storey buildings which are used by the RSPCA. The site is well screened from adjacent properties.

3. Planning History (selected):

- 3.1 TM/05/02198/FL Approved 16.06.06
Additional staff accommodation to existing animal centre.
- 3.2 TM/98/01287/FL Approved 22.09.1998
Addition of stores and stables buildings to existing animal centre together with other works.
- 3.3 TM/94/0437/RM Approved 27.06.1994
Details of Reserved Matters for RSPCA Animal Centre submitted pursuant to permission TM/93/0240OA.
- 3.4 TM/93/0240OA Approved 25.08.1993
Outline application for animal welfare facility.

4. Consultees:

- 4.1 PC: No objections.
- 4.2 EA: No objections.
- 4.3 UMIDB: No response.
- 4.4 DHH: A suitable and sufficient extraction system must be in place to remove any Zoonoses and Respiratory transmitted diseases such as psittacosis.
- 4.5 Private Reps: Art 8 site and Press Notice + 3/0S/0R/0X.

5. Determining Issues:

- 5.1 Policies SS2 and SS8 of the KMSP and P2/16 of the TMBLP seek to provide long term protection to the Green Belt and to the countryside generally. Policies EN4 and EN5 of the KMSP and policies P3/5 and P3/6 of the TMBLP seek to provide long term protection to the conservation and natural beauty of the landscape within the AONB and SLA over other planning considerations.
- 5.2 PPG 2 states that inside a Green Belt approval should not be given, except in very special circumstances, for the construction of new buildings or for changes of use of existing buildings for purposes other than agriculture and forestry, outdoor sport, cemeteries, institutions standing in extensive grounds, or other uses appropriate to a rural area.
- 5.3 Some elements of the wider complex require a rural location. This might be reasonably said to apply, for example, to the kennels. Whilst the provision of a small animals building cannot be argued to require a rural location, given that it forms part of a wider complex, I consider the principle of the proposal to be acceptable.
- 5.4 The proposed building would replace an existing building. It is proposed to position it in the same position as the existing building.
- 5.5 The applicant states in their accompanying letter that the existing building is now considered inadequate due to the fact that it is difficult to maintain the cleanliness of the timber construction and the space standards are not compatible with some aspects of health and safety.
- 5.6 The proposed building will not extend any further into the countryside than the existing adjacent buildings. Whilst the proposed building would be larger and taller than the existing building I am of the opinion that the proposed building will not have a significantly detrimental impact on the MGB and surrounding open countryside.
- 5.7 I am of the opinion that the proposal is in keeping with the bulk and appearance of the existing buildings.
- 5.8 The site is situated within Flood Zone 3, which is a high risk zone. Flood Zone 3 refers to land where the indicative annual probability of flooding is 1 in 100 years or less from river sources. The applicant has submitted a Planning Statement regarding Flood Risk with the application. The applicant proposes that whilst outside runs would be at floor level, all other cages would be at worktop level, where it is considered that animals would be at a safe level. As no predicted flood level is available, the ground floor level is proposed to be set at 250mm above the floor level of the existing cattery, which has been subject to earlier flooding. The Environment Agency has no objections to this proposal.

- 5.9 The proposal will not result in any loss of amenity to residential properties, as the site is situated within large grounds and any residential properties are situated a significant distance from the proposed structure.
- 5.10 The proposal will not present any highway issues, given that the proposal will not involve employing any additional staff or visitors to the site.
- 5.11 In light of the above I consider the proposal to be acceptable.

6. Recommendation:

6.1 Grant Planning Permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (Z013)

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 All materials used externally shall match those of the existing building. (D002)

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

Contact: Glenda Egerton