

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/01520/FULD Hamstead Marshall	3 <sup>rd</sup> September 2020 <sup>1</sup>	Section 73: Variation of condition 13 'removal of log cabin' of approved application 17/02099/FULD: Section 73A: Variation of Condition 15: Temporary log cabin permitted of approved application 13/01008/FULD: Relocation of existing dog breeding establishment involving the erection of a single storey kennel building; siting of a temporary mobile home; isolation kennel building and change of use of existing barn to ancillary storage building; the use of land as canine exercise area, associated parking, turning and landscaping (allowed on appeal APP/W0340/A/13/2206830).  Rickety Gate Farm  Hamstead Marshall  Rachel Paul
<sup>1</sup> Extension of time requested from applicant until 27 <sup>th</sup> November 2020.			

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01520/FULD>

**Recommendation Summary:** To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to conditions.

**Ward Member(s):** Councillor Dennis Benneyworth  
Councillor James Cole  
Councillor Claire Rowles

**Reason for Committee Determination:** Member Call-in

**Committee Site Visit:** Owing to social distancing restrictions, the option of a committee site visit is not available. Instead a collection of photographs is available to view at the above link.

#### Contact Officer Details

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## 1. Introduction

- 1.1 This application seeks planning permission to vary condition 13 of planning permission 17/02099/FULD which granted temporary permission for a residential log cabin associated with the relocation of a dog breeding establishment which had been previously granted planning permission on appeal. The condition stated;

“The temporary log cabin hereby permitted shall be removed and the land restored to its former condition on or before three years from the date of this decision, or when it ceases to be occupied, whichever is the sooner. Details to restore the land shall be submitted to and agreed in writing by the local planning authority before the works are implemented.”

- 1.2 This application is seeking to vary that condition to

“The temporary log cabin hereby permitted shall be removed and the land restored to its former condition on or before three years from the date of its first occupation, or when it ceases to be occupied, whichever is the sooner. The Council shall be notified in writing within a month of the date of first occupation.”

- 1.3 The site was formally an open agricultural field. The approved buildings for the kennels have been constructed on the site, the isolation kennel is partially constructed, and the base for the log cabin has been laid, with hard surfacing laid for the parking area around the building.

## 2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
13/01008/FULD	Relocation of existing dog breeding establishment involving the erection of a single storey kennel building; siting of a temporary mobile home; isolation kennel building and change of use of existing barn to ancillary storage building; the use of land as canine exercise area, associated parking, turning and landscaping	Refused and allowed at Appeal August 2014
15/01530/COND1	Details reserved by Condition 12: Reptile survey of Appeal Decision ref APP/W0340/A/13/2206830	Approved July 2015
15/02664/COND2	Details reserved by Condition 2: Approved plans of Appeal Decision ref APP/W0340/A/13/2206830	Approved December 2015
16/00019/COND3	Details reserved by Conditions 5 - Planting Scheme and 9 - Arboricultural Statement and Tree Protection Plan of Appeal Decision ref APP/W0340/A/13/2206830.	Approved March 2016
16/00433/COND4	Details reserved by Condition 4 - Hard and Soft Landscaping; Condition 5 - Scheme of Landscape Works; Condition 6 - Foul Drainage; Condition 7 - Surface Water	Approved May 2016

	Drainage; Condition 8- Lighting of Appeal Decision ref APP/W0340/A/13/2206830.	
17/01851/NONMAT	Non material amendment to planning permission Allowed on Appeal APP/W0340/A/13/2206830 Amendment: single storey kennel building roofing material from 'slated tile roof' to 'Kingspan KS100 RW' and approved timber windows and doors replaced with glazed uPVC windows/doors.	Approved July 2017
17/02099/FULD	Section 73A: Variation of Condition 15: Temporary log cabin permitted of approved application 13/01008/FULD: Relocation of existing dog breeding establishment involving the erection of a single storey kennel building; siting of a temporary mobile home; isolation kennel building and change of use of existing barn to ancillary storage building; the use of land as canine exercise area, associated parking, turning and landscaping (allowed on appeal APP/W0340/A/13/2206830).	Approved October 2017

### 3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 The application was advertised by means of a site notice posted on 29th July 2020, on a post at the entrance to the site. The deadline for representations expired on 19<sup>th</sup> August 2020.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5). However, as this is for a temporary building, CIL is not liable to be paid at this point. Any CIL liability will be advised separately.

### 4. Consultation

#### ***Statutory and non-statutory consultation***

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Hamstead Marshall Parish Council:</b>	<p>Object. The Parish Council objected to the development form the outset due to the AONB location. Objections are;</p> <ul style="list-style-type: none"> <li>• Buildings and infrastructure an intrusion to the AONB</li> </ul>
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	<ul style="list-style-type: none"> <li>Noise pollution from the dogs at various times and the impact on neighbouring dwellings</li> <li>Seek clarification about the soil and excavated material spread on the site</li> </ul>
<b>WBC Highways:</b>	No comments to make.
<b>Environmental Health</b>	No objection.
<b>Public Rights of Way</b>	No objection
<b>Drainage</b>	No comments received
<b>Waste</b>	No comments received

### ***Public representations***

4.2 Representations have been received from one contributor, which object to the proposal.

4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- The site is in a mess, and does not respect the AONB location, the paddock should be reinstated before the application is considered.

## **5. Planning Policy**

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS9, CS10, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C5 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6 and TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of the development
- Character of the area

### ***Principle of development***

- 6.2 The principle of establishing a dog breeding kennels, associated buildings, car parking and circulation and temporary residential accommodation has been established through the 2013 application. This permission, allowed at appeal, also addressed issues relating to impact on the character of the area, residential amenity (including noise and outlook), highway safety, foul drainage disposal, surface water drainage and impact on protected species. The main kennel building has been constructed, and all pre-commencement conditions have been discharged, and as such there is an extant permission on the site for the dog breeding establishment. The log cabin has not yet been constructed. The original permission in 2014 allowed the occupation of the log cabin for a period of 3 years from the date of the permission, this was subsequently extended on the permission granted in October 2017, and this application is seeking to extend the permission for 3 years from the date of first occupation of the log cabin, rather than from a three year period from the date of the permission.
- 6.3 Policy C5 of the Housing Site Allocations DPD sets out the policy for permitting dwellings related to a rural enterprise. It requires that it is essential to the continuing use of the land and buildings for the rural enterprise, and evidence is submitted showing the relationship between the housing and the enterprise and demonstrates why the housing is required for a worker in that location. An updated Essential Needs Appraisal (ENA) was submitted in the course of the application, to update the situation since the original permission was granted. This demonstrated that due to the 2018 licensing regulations it is necessary for individual dogs to be inspected at least once during the period 18:00-08:00, and whilst under those regulations having a competent person living on site is now optional, the ENA also addressed the size and function of the business. The ENA refers to the need to be on hand during labour, with approximately 16 litters per year, and to provide subsequent assistance to new mothers. The 2018 regulations make reference to not leaving dogs unattended in any situation which is likely to cause them distress. It is argued that the use of camera and travel distance would not be practical in instances during whelping. In addition the ENA sets out the reasons for needing to provide general care for sick and injured animals when the need arises. The statement also makes reference to the need to provide care for visiting bitches, and to provide security, and fire risk management. The licensing regulations require a responsible person to be at or within a reasonable distance at all times, and given the remote location, it is unlikely that a member of the public would notice a fire until it has become a severe situation.
- 6.4 The policy also requires it to be demonstrated that there are no other suitable alternative dwellings which could be made available to meet the need. The ENA proved evidence that there were not suitable premises which provided the land and dwelling which were required for the business, that were affordable to it. The land available at Rickety Gate Farm, provides the land required for the kennels and associated exercise land, as well as sufficient land for the temporary accommodation, and is owned by the applicant without debt or mortgage.
- 6.5 Policy C5 also requires that the financial viability of the business is demonstrated to justify temporary or permanent accommodation. Confidential business plans have been submitted with the application. The proposed kennel is to be relocated from existing facilities based at Ivory Farmhouse, Old Burghclere, which is outside of the District, and

formed part of the existing family smallholding there. As the breeding business which has been established since the 1950s, and taken over by the applicant from her mother in 2002, however the business has been run as part of the wider smallholding activities, and so no separate accounts are held for the dog breeding business. However projections based on the current experience and running of the business indicate that a profit can be made to support a worker and family on the site, and to enable continued investment.

- 6.6 It is considered that on balance the ongoing financial and functional need for the dwelling on the site has been demonstrated to support the dog breeding business on the site for which there is an extant permission. The policy also requires that no dwelling serving or associated with the rural enterprise has been sold or converted from a residential use, or otherwise severed from it in the last 10 years. This has not occurred in this instance. The principle of the dwelling on the site is still considered to be acceptable, as there is no material change in circumstances from the original permission or the 2017 permission.

### ***Character and appearance***

- 6.7 Policy C5 also requires that the development has no adverse impact on the rural character of the area and its setting within the wider landscape and the special qualities of the North Wessex Downs Area of Outstanding Natural Beauty. The details of the new log cabin have been accepted through condition discharge application 15/02664/COND2. The log cabin is of simple design, soft wood timber clad, comprising two units joined together each with shallow mono pitched roof, with the ridge line offset. The accommodation comprises open plan living/kitchen/dining area, two double bedrooms and a bathroom. Given the temporary nature of this structure, form and location away from public vantage points the soft wood clad temporary building is considered acceptable within this location. The log cabin has not been constructed on site.

### ***Other Matters***

- 6.8 The matters relating to highway safety, residential amnesty and drainage has already been established, and have been considered to be acceptable. All remaining conditions with regards to the use of the site and landscaping will be retained.
- 6.9 There were concerns raised by the Parish Council and a third party about the condition of the land, and spoil which had been spread on the grass area of the site. Emails on the 2017 application file have said that this land was not in a suitable condition for a canine exercise area, and was temporarily being used to store aggregates while the ground works were being completed. The correspondence confirmed that the field would be cleared and topsoil instated, to improve the condition of the field, and so that it could be used as a canine exercise area. The approved plans show that the affected field is to be used for recreational purposes by the dogs, and for grazing. The approved landscaping plan shows the area as grass. The landscaping details were approved in 16/00433/COND4, and the requirements of the landscaping conditions are that the approved landscaping works are to be carried out in the first planting and grassing season following the completion of the development. Whilst the development has lawfully commenced, it is not completed, and so the re-instatement of the land to grass, whilst desirable, cannot be enforced at this stage.

## **7. Planning Balance and Conclusion**

- 7.1 The proposed log cabin on the site to be used to accommodate the worker on the site, has on balance been shown to be demonstrated in the ENA and business plan

submitted with the application. Whilst the dog breeding business has been taking place for some time, and since 2002 by the applicant, this has formed part of a wider business, and its separation to the new facilities will create a new rural enterprise, and policy C5 says that temporary accommodation will normally be sought for the first three years. The application is requesting that the three year occupation period is from the date of first occupation of the cabin, rather than the date of permission, as the completion of the building work has been delayed due to licensing changes in 2018, and re-financing requirements, and then the business has been further affected by Covid-19 and the inability for dogs to be sold abroad. The timing for completion of the development, is for the construction of the remainder of the site to take place until January- May 2021, and the erection of the log cabin in June 2021, with occupation in September 2021. The permission for the dog breeding kennels and associated development has been implemented, although not occupied, so to alter the wording of the condition so that the three year period for occupation of the dwelling is for three years from the date of first occupation would result in an unclear and imprecise period of time for the occupation to take effect. There could be an unknown period of time before the site is brought into use, and in that time further changes could take place which could potentially result in the functional and financial needs for the dwelling as required by policy C5 are no longer being met. To ensure that the log cabin is only occupied for a three year period, and to ensure the permission is not open ended, and in accordance with the timescale provided in the application, it is recommended that the condition is worded so that the period for the condition to take effect is three years from September 2021, as the likely date of occupation, or three years from the date of first occupation, whichever is the sooner, which allows for some flexibility in the time period, without an a open ended permission which would be contrary to policy C5. The recommended wording for the condition, as repeated below is

*“The temporary log cabin hereby permitted shall be removed and the land restored to its former condition on or before three years from the date of first occupation, or 30th September 2024, or when it ceases to be occupied, whichever is the sooner. The Planning Authority shall be notified in writing within a month of the date of first occupation. Details to restore the land shall be submitted to and agreed in writing by the local planning authority before the works are implemented.”*

## 8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

### **Conditions**

1.	<p><b>Approved plans</b></p> <p>The development hereby approved shall continue to be carried out in accordance with the following drawings (these either being first approved through appeal decision for 13/01008, condition discharge details and non material amendment details):</p> <p>Location Plan 1001676-02 rev A          Block Plan 1001676-11 rev A          Proposed Elevations 1001676- 14 rev A          Proposed Floor Plans 1001676-12          Proposed Roof Plan 1001676-13          Site Sections 1001676-15 rev A          Isolation Kennel 1001676-16</p>
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	<p>Site Survey DTS041011-4M3 Log Cabin Plans -Floor Plans, Elevations, Roof Plan and Sections. (approved through application 15/02664/COND2)</p> <p>Unless alternative plans are approved in writing by the local planning authority.</p> <p>Reason: To ensure that the development is carried out in accordance with the submitted details in accordance with the National Planning Policy Framework 2019, policies ADPP1, ADPP5, CS 13, CS 14, and CS 19 of the West Berkshire Core Strategy 2006-2026, policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Supplementary Planning Document: Quality Design 2006.</p>
2.	<p><b>Materials</b></p> <p>The materials to be used in this development shall be as specified on the plans first received with application 13/01008/FULD and the roofing materials for the kennel building as approved through non material amendment application 17/01851/NONMAT. No other materials shall be used unless prior agreement in writing has been obtained from the Local Planning Authority.</p> <p>Reason: To ensure that the external materials are visually attractive and respond to local character within the North Wessex Downs AONB and to ensure that noise mitigation measures are in place. This condition is imposed in accordance with the National Planning Policy Framework (2019) Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) Policies C3 and C5 of the Housing Site Allocations DPD and Supplementary Planning Document Quality Design (June 2006).</p>
3.	<p><b>Landscaping Scheme</b></p> <p>The development hereby approved shall continue to be landscaped (hard and soft landscaping) in accordance with plans approved through condition discharge application 16/00433/COND 4 and further details received with this application.</p> <p>The approved details are shown on the following plans/documents: Drawing GAB.RGF.001 LPP Rev A (received by e-mail dated 22nd March 2016) Site section details including retaining walls 1001676 15 rev C (received by e-mail dated 12th April 2016) Levels and Hard surface details 1001676 11 rev D (received by e-mail dated 12th April 2016). E-mail from applicant dated 22nd March 2016 regarding hard surfacing and boundary treatments E-mail from agent dated 4th September 2017, confirming works and timescale of works to grassed exercise area. E-mail from agent dated 20th October 2017, confirming hedge plant details.</p> <p>The soft landscape details include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;</p> <ol style="list-style-type: none"> <li>a) Implementation of the approved landscape scheme before the first occupation or use of the main kennel building.</li> <li>b) Any trees, shrubs or plants that die or become seriously damaged within five years of being planted shall be replaced by plants of the same size and species.</li> <li>c) That there is sufficient screen planting to the eastern boundary to the site opposite Hamstead Marshall Footpaths 1 and 2.</li> </ol> <p>The hard landscape details include;</p> <ol style="list-style-type: none"> <li>a) finished floor levels and contours;</li> </ol>



	<p>b) All means of enclosure;  c) hard surfacing materials;  d) Other structures (e.g. refuse or other storage units, signage etc);  e) Services above and below ground (e.g. power, communications cables, pipelines etc - indicating lines, manholes, supports)  These works shall be carried out as approved prior to the first occupation of any of the buildings hereby permitted.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of hard and soft landscaping in the interests of visual amenity in the North Wessex Downs AONB. This condition is imposed in accordance with the National Planning Policy Framework (2019.), Policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p><b>Arboricultural Method Statement and Tree Protection</b></p> <p>The development hereby approved shall continue to be developed in accordance with the following details:  Arboricultural Method Statement and Tree Protection Plan dated 21st December 2015. GA Butler &amp; Sons Ltd (Consulting Arborist - Stefan Rose)  Tree Protection Plan GAB.RGF.TPP.002  Bat Habitat Suitability Assessment - additional document from PV Ecology (January 2016) in respect of protected species and trees to be removed.  All approved through condition discharge application 16/00019/COND3.</p> <p>Measures to protect retained trees shall only be undertaken in accordance with the approved method statement, unless alternative measures are agreed in writing by the local planning authority.</p> <p>Reason: To ensure the protection of trees identified for retention at the site and adjacent to the site. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies ADPP1, ADPP5, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
5.	<p><b>Drainage</b></p> <p>The development hereby approved shall include the implementation of the foul drainage details plans approved through condition discharge application 16/00433/COND 4 and further details received with this application, before the development is first brought into use.</p> <p>The approved details are shown on the following plans/documents:  Drainage Plan 1001676-17 rev A  Internal layout and plumbing details 1001676 12 rev B  E-mail from agent dated 20th October 2017 confirming all washing down to BioFicient then to reed bed.</p> <p>The scheme must include the disposal of all solid and liquid wastes including dog washing effluent and kennel washing effluent. The approved measures for dealing with foul drainage shall be kept in place, in full working order and adhered to at all times.</p> <p>Reason: In the interests of amenity. In accordance with policies ADPP5 and CS14 of the West Berkshire Core Strategy 2006-2026 and advice contained within the National Planning Policy Framework (2019)</p>

6.	<p><b>SuDs</b></p> <p>The development hereby approved shall include the implementation of the sustainable drainage measures to deal with surface water within the site approved through condition discharge application 16/00433/COND 4 and received with application 17/02099/FULD.</p> <p>The approved details are shown on the following plans/documents:  Drainage Plan 1001676-17 rev A  Internal layout and plumbing details 1001676 12 rev B  Site section details including retaining walls 1001676 15 rev C and  Levels and Hard surface details 1001676 11 rev D both received by e-mail dated 12th April 2016.  E-mail from agent dated 20th October 2017 confirming use of water harvesting tank for roof run off from log cabin.</p> <p>The approved measures shall be kept in place, in full working order and adhered to at all times.</p> <p>Reason: In order to minimise the risks of surface water flooding. In accordance with policies ADPP1 and CS16 of the West Berkshire Core Strategy 2006-2026 and advice contained within the NPPF (2019).</p>
7.	<p><b>Internal and External Lighting</b></p> <p>The development hereby approved shall include the implementation of the internal and external lighting of the site and buildings approved through condition discharge application 16/00433/COND 4.</p> <p>The approved details are shown on the following plans/documents:  Drawing 1001676 14 rev B  Drawing 1001676 18 rev A and  Lighting details  received by e-mail dated 30th March 2016 and  E-mail from applicant sent by Carter Jonas dated 30th March 2016 clarifying lighting details.</p> <p>The lighting shall be installed in accordance with the approved details to minimise light spill and using PIR with manual over ride.  No additional lighting shall be installed or changes to the scheme shall be made except with the prior written approval of the local planning authority.</p> <p>Reason: In the interests of amenity and character of the area, to protect dark night skies and protect wildlife habitats in the North Wessex Downs AONB. In accordance with policies ADPP5, CS 14 and CS19 of the West Berkshire Core Strategy 2006-2026 and advice contained within the NPPF.</p>
8.	<p><b>Access and Circulation, visibility</b></p> <p>No buildings hereby permitted shall be occupied until the access, vehicle circulation and associated parking, including for customers and deliveries have been provided in accordance with the approved plans. The access, parking and turning spaces shall thereafter be kept available for parking and manoeuvring at all times.</p> <p>Reason: In the interests of highway safety and in order to reduce the likelihood of roadside parking. In accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026) and advice contained within the NPPF.</p>

9.	<p><b>Visibility Splays</b></p> <p>No buildings hereby permitted shall be occupied until full details of visibility splays have been submitted to, agreed in writing by the local planning authority and provided at the site entrance. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of one metre above carriageway level.</p> <p>Reason: In the interests of highway safety. In accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026) and advice contained within the NPPF.</p>
10.	<p><b>Sound Insulation</b></p> <p>The main kennel building hereby permitted shall not be occupied until details of its construction to provide for appropriate sound insulation have been submitted to and agreed in writing by the local planning authority. The details shall be in accordance with the findings and recommendations of the Environmental Noise Impact Assessment by Ian Sharland Limited dated 13 March 2013 submitted with application 13/01008/FULD. The details will also take account of the potential for noise emissions via the air transfer grilles and from ventilation systems. The building shall be constructed and thereafter maintained and managed in accordance with the approved details.</p> <p>Reason: In the interests of amenity, to minimise potential disturbance to neighbouring residential dwellings. In accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026, Policies OVS5 and OVS6 (West Berkshire Local Plan Saved Policies 2007) and advice contained within the NPPF.</p>
11.	<p><b>Vegetation Clearance</b></p> <p>No vegetation clearance works or demolition works shall take place in the bird nesting season (March-September) unless a check for nesting birds has been undertaken by a qualified ecologist within 24 hours of works commencing and has shown there to be no nesting birds present.</p> <p>Reason: To accord with Policy CS17 (Biodiversity &amp; Geodiversity) of the West Berkshire Local Plan and to accord with the NPPF.</p>
12.	<p><b>Log Cabin Occupancy</b></p> <p>The occupation of the temporary log cabin hereby permitted shall be limited to a person solely or mainly working within the holding known as Rickety Gate Farm or a widow or widower of such a person and any resident dependants.</p> <p>Reason: This permission has been given because the need for on site accommodation outweighs the planning objections to the development. The temporary log cabin must remain available for occupation in association with the dog breeding business. In accordance with Policies ADPP1, ADPP5, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policies C1 and C5 of the HSA DPD and advice contained within the NPPF.</p>
13.	<p><b>Removal of log cabin</b></p> <p>The temporary log cabin hereby permitted shall be removed and the land restored to its former condition on or before three years from the date of first occupation, or 30<sup>th</sup> September 2024, or when it ceases to be occupied, whichever is the sooner. The Local Planning Authority shall be notified in writing within a month of the date of first occupation. Details to restore the land shall be submitted to and agreed in writing by the local planning authority before the works are implemented.</p> <p>Reason: This permission has been given because the circumstances of the applicant are such in the short term as to outweigh the basic planning objections to</p>

	<p>the development. Should the proposed business on site fail, the site is not suitable for retention for a permanent dwelling without justification. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies ADPP1, ADPP5, CS10, CS12, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and C5 of the HSADPD.</p>
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### ***Informatives***

1.	<p><b>Proactive</b></p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
2.	<p><b>Mud on the Road</b></p> <p>The applicant is requested to ensure that any debris from the site, including mud on the road is regularly removed/swept away. This will minimise danger to road users and protect neighbouring amenity.</p>
3.	<p><b>Damage to the Carriageway</b></p> <p>The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
4.	<p><b>Damage to Footways, Cycleways and Verges</b></p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.</p>