



Appeal Decisions

Hearing held on 24 April 2024

Site visit made on 24 April 2024

by Mr James Blackwell LLB (Hons) PGDip, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 26th June 2024

Appeal A Ref: APP/D3125/X/23/3318974

Land North of A4095, North Leigh, Oxfordshire OX29 6SL

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Andrew Godfrey against the decision of West Oxfordshire District Council.
 - The application ref 22/02222/CLE, dated 29 July 2022, was refused by notice dated 10 November 2022.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
 - The use for which a certificate of lawful use or development is sought is use for the training of dogs and associated activities (steadiness pen, training pen, search and retrieve area) and parking together with access.
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Appeal B Ref: APP/D3125/W/23/3328367

Land north of A4095, North Leigh, Oxfordshire OX29 6SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Godfrey against the decision of West Oxfordshire District Council.
 - The application Ref is 22/02740/FUL.
 - The development proposed is the erection of a single storey dwelling with attached kennel, office and kitchen building along with construction of a kennel block all to be used in association with the existing dog training facility.
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Decision - Appeal A

1. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the existing use which is found to be lawful.

Decision - Appeal B

2. The appeal is allowed and planning permission is granted for the erection of a single storey dwelling with attached kennel, office and kitchen building along with construction of a kennel block all to be used in association with the existing dog training facility on Land north of A4095, North Leigh, Oxfordshire OX29 6SL in accordance with the terms of the application, Ref 22/02740/FUL, subject to the conditions set out in the attached schedule.

Preliminary Matters

3. Appeal A concerns an application for a Lawful Development Certificate (LDC). This appeal seeks to confirm the lawfulness of the appeal site for dog training purposes. Appeal B concerns a separate application for planning permission for a dwelling and kennels, both to be used in conjunction with the same dog training use.

APPEAL A

4. I have used the Council's description of development, which the appellant accepts, as this more comprehensively describes the alleged existing use of land.
5. The appellant says that use of the appeal site for dog training purposes began in 2011 and that the site has been used continuously in this way ever since. In accordance with s171B (3) of the 1990 Act, he therefore says use of the land was immune from enforcement action, and therefore lawful, as it had been ongoing continuously and uninterrupted for more than 10 years at the date of application.
6. Conversely, the Council says it is unclear whether a material change of use of the appeal site has occurred. Even if it has, the Council contends that the intensity of use has not been consistent throughout the relevant 10-year period. In turn, they say the present use of the site has not subsisted for the requisite period. These are the principal areas of dispute between the parties.
7. As an application for an LDC, the burden is on the appellant to demonstrate their case, on the balance of probability. Planning merits are not relevant. I have considered the appellant's evidence in accordance with the principle established in *Gabbitas*¹. This says that where there is no evidence to contradict an appellant's version of events or make it less than probable, and their evidence is sufficiently precise and unambiguous, then it should be accepted.

Main Issues

8. The main issues are whether a material change of the appeal site has occurred and if so, whether that use had subsisted continuously for a period of 10 years prior to the date of application.

Reasons

9. The appeal site comprises a field approximately 0.28 acres in size, and is located just over half a mile to the north-east of Whitney. The site is accessed via a track off the A4095.
10. The appellant trains dogs for a living, and says he has used the site for dog training since its acquisition in August 2011. The appellant currently has 18 of his own dogs, and typically trains them at the site in the morning, with any client appointments following later on in the day.
11. The site is understood to have been used as agricultural land prior to the appellant's acquisition in 2011. Under s366 of the 1990 Act, agricultural use includes "*horticulture, fruit growing, seed growing, dairy farming, the breeding*

¹ *Gabbitas v SSE & Newham BC* [1985] JPL 630

and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes”.

12. During his ownership, the appellant says he has used the site solely for dog training, and for no other purpose, including any purpose related to agriculture. I should highlight that the steadiness pen does house certain livestock including rabbits and ducks. However, these animals are understood to assist with gun dog training by emulating the circumstances of a real-life shoot or competition, which means they are not there in an agricultural capacity. There is nothing before me to make me doubt this.
13. Consistent with the approach in *Sykes*², it therefore seems clear that the site’s primary use and purpose is for dog training, and has been for some time. Given a dog training use would not be an agricultural use as per s366 referenced above, it follows that a material change of use from agriculture to a use for dog training has occurred.
14. The appellant says the focus of his business is training dogs to become effective and functional gun dogs. His dogs are trained to assist with traditional shoots and competitions, and in more recent years, his dogs have also been used for veterinary scanning, a process which assists with veterinary education and experience. The appellant is clearly highly regarded, with numerous letters of support, sworn statements and oral submissions attesting to his competence, skill and ability in this field.
15. The appellant says he attends the site daily to train and exercise his own dogs, typically for several hours each morning. On occasions when he is unavailable, for example when he is away at a competition or a shoot, one of his family members will attend the site in his place. This arrangement is corroborated by the sworn statement of Stephanie Godfrey, and oral submissions made during the hearing.
16. Alongside training his own dogs, the appellant also provides dog training to the wider public, and operates this on an appointment-based system. These sessions are one to one, and typically last for an hour. Numerous letters from his clients support the fact that this element of his business has also been ongoing within the appeal site since 2011, and oral representations from several interested parties during the hearing confirmed the same.
17. Upon acquisition of the site, the appellant sought planning permission for the erection of 2 no. buildings as kennels for boarding, breeding and training working dogs, together with the stationing of a residential mobile home (application ref 11/1666/P/FP) (2011 Application). Whilst this application was refused by the Council and subsequently dismissed on appeal, the nature of the 2011 Application is consistent with the appeal site being acquired for dog training purposes. It therefore seems rational to assume the site would have been used in this way from the outset of the appellant’s ownership, which supports his narrative of how long the site has been used in this way.

² *Sykes v Secretary of State for the Environment* [1984] JPL

18. The appellant says his own level of dog ownership fluctuates slightly, but that he generally has between 12 and 18 dogs at any one time. Consequently, he says the time spent training his own dogs each day within the appeal site has remained broadly consistent throughout the time he has owned it. In the appeal decision relating to the 2011 Application, the Inspector notes that the appellant owned 16 dogs at the time, as well as their puppies. This is similar to his current level of dog ownership, thereby supporting this contention.
19. The appellant acknowledges that the client element of his business has grown over the years, which means he now carries out more private dog training sessions than he did when he first acquired the site. However, at most, this only results in a couple more training appointments a day. This would not materially alter the overall intensity of the site's use for dog training purposes, nor would it make a meaningful difference to any off-site impacts, such as trip generation to and from the site. In turn, the evidence does not suggest the intensity of the dog training use has materially changed during the appellant's ownership of the site.
20. The physical character of the site has evolved during the appellant's ownership. In particular, different training areas, including the steadiness pen, training pen and search and retrieve area, have become more clearly defined. Nonetheless, the appellant says these areas have been present from the outset of his ownership, just more informally laid out. An aerial photo of the site taken in 2012 does appear to show some signs of a steadiness pen at this time, thereby supporting this narrative.
21. It is worth highlighting that these areas do not comprise operational development in themselves, but instead form discrete activity areas comprised in the overall land use. Even where there are not clear signs of these areas in photos taken in the earlier years of the appellant's ownership, I do not take this to mean the site was not used in this way at this time.
22. The appellant says both he and his clients park within the appeal site when training is ongoing. This makes sense, as the appellant lives approximately 11 miles from the site, and needs to transport his own dogs to and from the site to carry out training. His clients also travel from afar to access his training services, which necessitates onsite parking. The access track is the only vehicle access into the site, and so it follows that this must have been used to access the site throughout the appellant's ownership.
23. On the evidence before me, it seems clear that the appeal site has been used continuously for dog training since the appellant acquired the site in 2011. The volume of supporting letters, sworn statements and oral representations all attest to this. The Council has presented little evidence to make me doubt the appellant's version of events, nor make it less than probable. The intensity of use also appears to have remained broadly consistent throughout the appellant's ownership, and there is little to indicate an additional material change of use through intensification has occurred.
24. On the balance of probability, I am therefore satisfied that the appellant's evidence is sufficiently precise and unambiguous to demonstrate that use of the appeal site for the training of dogs and associated activities (steadiness pen, training pen, search and retrieve area) and parking together with access, had subsisted continuously and uninterrupted for a period of at least ten years prior to the date of the appeal application. In accordance with s171B(3) of the

1990 Act, this use was therefore immune from enforcement action on the date of application, and pursuant to s191(2) of the 1990 Act, was therefore lawful.

Other Matters

25. I have considered whether any limit or restriction needs to be placed on the description of development in the LDC in terms of intensity of use. However, usage of the site is already regular throughout the day, and it is difficult to envisage this increasing to any significant degree. Therefore, I do not consider any such restriction to be necessary in this instance.

Conclusion

26. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant an LDC in respect of a use for the training of dogs and associated activities (steadiness pen, training pen, search and retrieve area) and parking together with access was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act (as amended).

APPEAL B

27. Once again, I have used the Council's description of development, which the appellant accepts, as this more comprehensively describes the development.
28. I have determined this appeal with regard to the latest version of the National Planning Policy Framework, published in December 2023 (Framework). I am satisfied that the updates do not materially affect its content insofar as it is relevant to the main issues of this appeal.

Main Issues

29. The main issues are:

- whether the location of the development would be acceptable, with particular regard to business need;
- the effect of the development on the adjacent Public Right of Way; and
- the effect of the development on the character and appearance of the area.

Reasons

Location of Development

30. Policy OS2 of the West Oxfordshire Local Plan 2031 (Local Plan) sets out the overarching strategy for the location of development within the Council's area. In open countryside, the policy says development will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the countryside. For non-residential development, appropriate development will include proposals to support the effectiveness of existing businesses. The appropriateness of any residential development will be considered by reference to policy H2.
31. Policy H2 of the Local Plan goes on to prescribe the circumstances whereby new dwellings within the open countryside may be permitted. These include circumstances where there is an essential operational or other specific local

- need that cannot be met in any other way, including the use of existing buildings.
32. The appellant says that the proposed development would allow him to expand his business, with an increased emphasis on breeding. The ability to breed his dogs would enable him to maintain a supply of working-age gun dogs, which would help secure the longevity of their use for veterinary training and education purposes. The Council's Business Development Officer has confirmed the viability of his business plan, and there is no reason before me to disagree with this assessment.
33. Improve Veterinary Education (IVE) are a leading provider of postgraduate training, qualification and educational resources to the veterinary community. The appellant's specially trained gun dogs are used by IVE to support its provision of veterinary training and education courses, which include courses on diagnostic imaging, ultrasonography imaging, nurses' physiotherapy and rehabilitation and ophthalmic training. The suitability of the appellant's dogs for these courses is attributed to the rigour and quality of his training.
34. The provision of many of these courses is now heavily dependent on the appellant's business, and without a continued supply of specially trained gun dogs, the course provision would have to be scaled back significantly. It is therefore clear that the appellant's business meets a specific essential need within the veterinary community, both locally and further afield.
35. The appellant says the kennels and associated dwelling would need to be located at the appeal site, where he carries out his dog training, for the breeding element of his business to be functionally viable. In part, this is to ensure he can meet the requirements of the DEFRA Statutory Guidance for dog breeding licensing³ (DEFRA Guidance).
36. To achieve a 4 or 5-star rating for dog breeding, businesses must achieve all required higher standards set out in the guidance, as well as a minimum of 50% of the optional higher standards in each separate category of the guidance. For many of these higher standards to be achieved, including those relating to emergencies, animal protection, handling and monitoring, an onsite staff presence is required. In particular, the only optional higher standard for "Emergencies", which must therefore be met to achieve a higher standard rating, requires a competent person to be on site at all times.
37. In practice, this means the appellant would need to live on site of the breeding element of his business, in order to comply with the higher standards in the DEFRA Guidance. Given he primarily runs his business alone, it follows that dog training would also need to take place at the same location, to ensure an onsite presence is maintained at all times.
38. Given the appellant's business is already well-established within the appeal site, it would be logical for it to continue operating from this same location, particularly as no suitable and affordable alternative sites have been found within the area. In any event, given its potential noise impact, a business of this type is suited to a more rural location away from other residential properties, thereby amplifying the suitability of the site for this particular business.

³ Dog breeding licensing: statutory guidance for local authorities (updated 2 April 2024)

39. Bringing these factors together, the proposed development would support the expansion and effectiveness of an existing business which meets an essential operational need of the veterinary community. For the business to function effectively, a permanent onsite presence is required, which means the appellant must live onsite. No viable alternative sites for the business have been found, which means the business need could not readily be met in any other way.
40. I am therefore satisfied that the location of the development would be acceptable with regard to policies OS2 and H2 of the Local Plan. Its location would also be consistent with Policies E2 and WIT6 of the Local Plan, both of which make exceptions for new dwellings in the countryside where they would meet a specific business need.

Public Right of Way

41. The appeal site is accessed via a track from the A4095 which is a Public Right of Way (PROW). The track is suitable for use by vehicles, and the vehicular rights which benefit other parcels of land along the track attest to this.
42. The appellant has operated his existing dog training business from the appeal site for more than ten years. Throughout this time, the track has been used for access. Given the appellant currently lives offsite, he has to transport his dogs to and from the site, often multiple times a day. His clients also use the access track before parking in the appeal site. This means the PROW is already routinely used in conjunction with the appellant's business, and has been for a long time.
43. The proposed dwelling would introduce vehicle movements associated with day-to-day domestic living. However, Mr Godfrey would no longer need to travel to and from the site for dog training (as he would live there), which means the associated vehicle movements in this regard would be significantly reduced. Overall, this means the number of vehicle movements to and from the site are unlikely to be materially different to present, and in turn, the development would have little impact on the PROW.
44. Conditions can secure implementation of a Construction Management Plan to ensure protection of the PROW during the construction phase of the development. Conditions can also preclude use of the PROW by large vehicles throughout the lifetime of the development, thereby affording it further protection.
45. For these reasons, I am satisfied that the development would not cause undue harm to the PROW. The development would be consistent with Policy EH4 of the Local Plan, which seeks to ensure the district's green infrastructure is protected and enhanced for its multi-functional role, including for its biodiversity, recreational accessibility, health and landscape value.
46. I note Policy T9 of the Hailey Neighbourhood Plan, which includes a community aspiration to develop an all-weather recreational path connecting Witney to New Yatt. Whilst there is nothing before me to suggest any such path would follow the route of the PROW, it is worth reiterating that vehicular rights already exist over the PROW. The level of usage would also not meaningfully change as a result of the development. In turn, the development should not

interfere with this community aspiration, even if any proposed path were to run alongside or near to the PROW. I therefore find no conflict with this policy.

Character and Appearance

47. The appeal site comprises an enclosed field, which is heavily screened on all sides by mature trees and hedgerow. This gives it a verdant and secluded character, commensurate with its countryside setting.
48. The proposed dwelling, which would form an “L” shape, would be sited within the western corner of the appeal site. The kennels would sit adjacent to the eastern elevation of the dwelling, and run parallel with the southern boundary to the site. Given the dense and mature boundary treatments within this corner of the site, the buildings would barely be perceptible from public view.
49. The buildings would be low-level and clad in rustic dark timber, which means they would reflect the typical appearance of a rural outbuilding. Even where glimpsed views would be possible, this sympathetic design ensures the dwelling and kennels would integrate effectively within the landscape, without undermining the rural credentials of the surrounding area.
50. The parking area would also be discreetly sited within the “L” to the dwelling. This arrangement would ensure that the parking area does not dominate the site entrance, which is where the appeal site is most visible from public view. The use of a Grasscrete surface (or equivalent), which can be secured by condition, would also ensure the verdant quality of the appeal site is retained.
51. On account of these factors, I am satisfied that the development would not harm the character and appearance of the area. It would be consistent with the design provisions of the Framework, which seek to ensure development integrates effectively with its surroundings.

Other Matters

52. The development would be located rurally, away from any residential properties. This should ensure there are no particular amenity concerns arising from the development in terms of noise or smell. A lighting strategy will be secured by condition, to ensure any potential impact from light is carefully managed. In terms of drainage, the Council’s drainage engineers do not object to the proposal, subject to a condition securing approval of a surface water drainage scheme.
53. There is concern that the development would set a precedent for isolated development in the countryside. However, the circumstances of this case are very particular to the need for the appellant’s business in the location proposed, which means policy criteria for the development are met in this instance. In turn, approval of the scheme should not set a harmful precedent, as any future development would also need to comply with relevant policy.
54. Whilst submitted late, I note reference to the Fish Fill Farm appeal decision (APP/D3125/W/23/3315582) which concerned a kennels relatively near to the appeal site. This scheme was dismissed primarily due to noise disturbance from the proposed kennels. Whilst some similarities between the two cases can be drawn, the baseline noise position is very different in the present case, as there is already an established dog related business operating from the appeal site. In turn, the decision carries limited weight in my decision.

Conditions

55. I have reviewed the list of conditions suggested by the parties and have amended these in line with guidance contained in the Framework and Planning Practice Guidance.
56. I have included a plans condition (condition 2) to ensure certainty in respect of the development consented.
57. Details of external materials and finishes (condition 3) must be submitted to and approved by the Council prior to commencement above ground level. This is to ensure the development integrates effectively with its surrounding landscape.
58. A surface water drainage scheme (condition 4), which must be approved prior to commencement, is needed to ensure drainage is factored properly into the scheme.
59. Condition 5 has been included to safeguard the site in the event any unexpected contamination is discovered during construction of development.
60. A Construction Traffic Management Plan (condition 6) will ensure the PROW is adequately protected throughout the construction phase of development. A limitation on the type of vehicles that can access the site has been included for the same reason (condition 7).
61. I have included a condition which requires the provisions of the appellant's Noise Management Plan to be adhered to throughout the development (condition 8). This is to ensure that the noise impact of the development is managed effectively long term.
62. Condition 9 secures onsite parking provision, which means anyone accessing the site will have space to park without interfering with the PROW. I have also included a condition which requires the parking areas to be laid out in Grasscrete (or equivalent), to help safeguard the green credentials of the appeal site (condition 10).
63. Condition 11 requires the development to be carried out in accordance with the Council's Precautionary Method of Working document, which will help safeguard wildlife within the site throughout construction.
64. Bird and bat boxes must be provided (condition 12) to help ensure appropriate biodiversity enhancements are secured as part of the development. Any external lighting must also be approved by the Council prior to installation (condition 13) to help safeguard the biodiversity and wildlife of the site.
65. Finally, a condition restricting use of the site to the breeding and training of gun dogs has been included (condition 14). This is because the scheme has been assessed on the basis of this specific use, which likely has a different impact to the training or breeding of other dogs. This restriction will also preclude the development being used as boarding kennels, which would also have a different impact.
66. Whilst the Council also suggested a condition requiring any gates to open inwards into the site, I do not consider this would meet the test of necessity.

Conclusion

67. For the reasons given above, and having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be allowed.

James Blackwell

INSPECTOR

APPEARANCES

FOR THE APPELLANT

1. David Forsdick QC, Landmark Chambers (Counsel)
2. Liz Fitzgerald, Barker Parry
3. Jacqueline Backhaus, Trowers & Hamlins LLP
4. Jasmine Andrews, Trowers & Hamlins LLP
5. Andrew Godfrey

FOR THE LOCAL PLANNING AUTHORITY

1. Chris Wood, Planning Appeals Officer

INTERESTED PARTIES

1. Stephanie Godfrey
2. Karen Godfrey
3. Adrian Scott
4. Mallory Greenway
5. Michael Greenway
6. Malcolm Timms
7. Andrea George
8. Jonathan Midwinter
9. Harry St John
10. Kevin Swann
11. Jowanna Lewis

Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 29 July 2022 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, was lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The use had subsisted for a continuous period of ten years prior to the date of application, and in accordance with s171B(3) of the 1990 Act, was therefore immune from enforcement.

Signed

Mr James Blackwell
Inspector

Date: 26th June 2024

Reference: APP/D3125/X/23/3318974

First Schedule

Use for the training of dogs and associated activities (steadiness pen, training pen, search and retrieve area) and parking together with access.

Second Schedule

Land north of A4095, North Leigh, Oxfordshire OX29 6SL

IMPORTANT NOTES – SEE OVER

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use described in the First Schedule taking place on the land specified in the Second Schedule was lawful, on the certified date and, thus, was not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

Plan

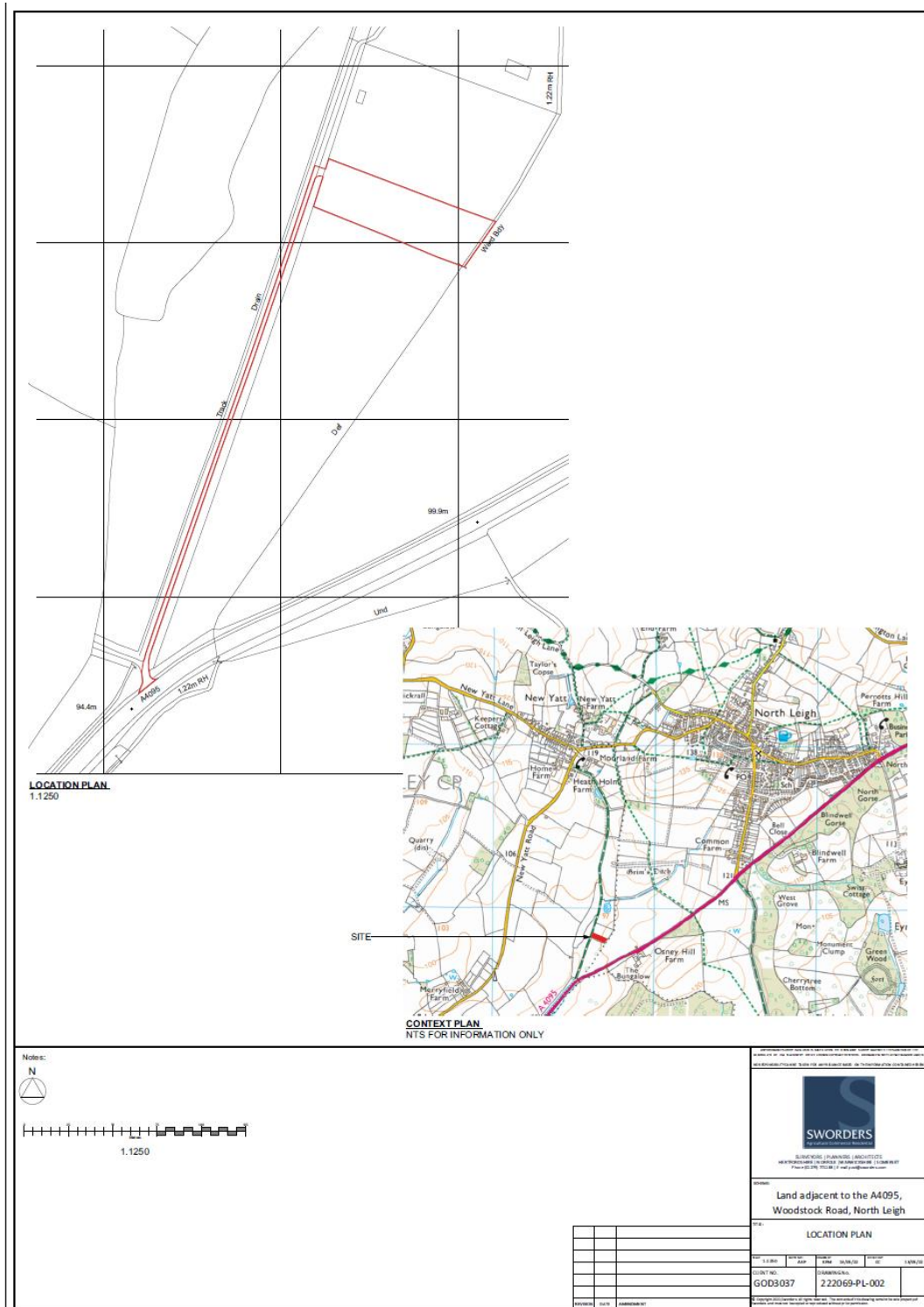
This is the plan referred to in the Lawful Development Certificate dated: 26th June 2024

by James Blackwell LLB (Hons) PGDip, Solicitor

Land at: Land north of A4095, North Leigh, Oxfordshire OX29 6SL

Reference: APP/D3125/X/23/3318974

Scale: Not to Scale



SCHEDULE OF CONDITIONS (APPEAL B)

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawings 222069-PL-0002 (Site Location Plan); 222069-PL-100 (F) (Site Plan); 222069-PL-101 (A) (Elevations & Proposed Layout (Dwelling)); and 222069-PL-102 (A) (Elevations – Proposed Kennels).
- 3) No development above ground level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.
- 4) Prior to the commencement of development, a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit with the lowest filtration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and retained thereafter.
- 5) Any contamination that is found during the course of construction of the development hereby permitted shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 6) No development shall take place (including ground works and vegetation clearance) until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The approved CTMP shall be implemented and adhered to throughout the construction period for the development.
- 7) No heavy goods vehicles, public service vehicles or other commercial vehicles with more than two axles or which weighs more than 2,500kg shall enter any part of the appeal site, including the access from the A4095 and any part of Public Right of Way 236/31/10, without the prior written agreement of the local planning authority.
- 8) The development shall be managed in accordance with the provisions and recommendations of the Noise Management Plan (Ref CJA4695/22054/Rev 1, Spectrum Acoustic Consultants) throughout its lifetime.
- 9) Prior to occupation of the development for residential use, parking and manoeuvring areas shall be provided in accordance with drawing 222069-PL-100 (F) (Site Plan) and shall be made available for such purpose throughout the lifetime of the development.

- 10) Prior to the laying out of the parking and manoeuvring areas hereby permitted, details of the materials to be used in their construction, which shall be Grasscrete or equivalent, shall be submitted to and approved in writing by the local planning authority. The parking and manoeuvring areas shall be laid out in accordance with the approved details and retained thereafter.
- 11) The development hereby approved shall be completed in accordance with all measures outlined within West Oxfordshire's Precautionary Method of Working document.
- 12) Within 3 months of commencement, a specification (including methodology and programme for implementation) for the enhancement of biodiversity through the provision of bat and bird boxes shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.
- 13) Prior to the installation of any external lighting, full details including height, design, location and intensity shall be submitted to and approved in writing by the local planning authority. The lighting installation shall then be carried out in accordance with the approved details.
- 14) The use of the residential property and kennels hereby approved shall only be used in association with the training and breeding of gun dogs.