



Appeal Decision

Inquiry held on 16 and 17 July 2019

Site visit made on 16 July 2019

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 29th August 2019

Appeal Ref: APP/R3705/W/18/3199149

The Caravan Site, Highfield Lane, Corley Ash, Warwickshire CV7 8BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs I and Mr and Mrs S Doherty against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2017/0547, dated 3 October 2017, was refused by notice dated 6 March 2018.
 - The development is described as 'change of use of land to a gypsy and traveller caravan site consisting of 2 no. pitches, each of which would contain 1 no. mobile home and 1 no. touring caravan, and associated works.'
-

Decision

1. The appeal is allowed, and planning permission is granted for the change of use of land to a gypsy and traveller caravan site consisting of 2 no. pitches, which together would contain 2 no. mobile homes and 5 no. touring caravans, and associated works at The Caravan Site, Highfield Lane, Corley Ash, Warwickshire CV7 8BJ in accordance with the terms of the application, Ref PAP/2017/0547, dated 3 October 2017, subject to the conditions set out in the attached schedule.

Background and Main Issues

2. The appeal site has been in use as a gypsy and traveller caravan site by the appellants since 2009. For a short period from 2012 the site had a temporary personal permission for two traveller pitches for use by the appellants.
3. The site layout plan submitted with the application (Drawing TDA.2352.03) shows two mobile homes and five touring caravans. When I visited there were two mobile homes and five tourers at the site. At the inquiry the appellants confirmed that their intention was to seek permission for this number of mobile homes and tourers, despite the description of development on the application form. The Council also confirmed that it considered the application on the basis of the site layout plan and had no objection to the appeal being determined on the same terms. The substance of the development would not change. No party would be prejudiced by my deciding the appeal based on two mobile homes and five touring caravans which is reflected in the decision itself.
4. A Statement of Common Ground (SOCG) dated December 2018 between the appellants and the Council sets out the matters that are agreed and those that are disputed. The site lies in the Green Belt. The main parties agree that the

proposal is inappropriate development in the Green Belt as set out in paragraph 16 of 'Planning policy for traveller sites' (PPTS). The Council accepts that the appellants and their families meet the planning definition of 'gypsies and travellers' within the Glossary to PPTS. Based on the information before me I see no reason to take a different view. Therefore, PPTS, which sets out the Government's policy for traveller sites applies, as do development plan policies relevant to travellers.

5. Taking into account the written evidence, the SOCG, what I heard at the inquiry and my site visits to the site and surroundings, the main issues are:
 - (1) the effect on Green Belt openness and purposes;
 - (2) the effect on the character and appearance of the area;
 - (3) whether the use would result in a sustainable pattern of development with particular reference to accessibility to services; and,
 - (4) whether the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Green Belt openness and purposes

6. 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.
7. The site contains a large Nissen Hut at the rear but, without the caravan site use, would otherwise be open. The stationing of the mobile homes and tourers, the parking of vehicles, and the domestic paraphernalia associated with the use, including the small bathroom buildings and sheds shown on the plans and present on the site, leads in spatial terms to loss of openness for the part of the site between the Nissen Hut and Highfield Lane compared to an open site.
8. Openness has a visual dimension as well as a spatial aspect. The mobile homes, caravans, small buildings, parked vehicles and domestic activity are visible through the gates at the site entrance. However, otherwise the site is well-enclosed by existing vegetation. This landscaping would be consolidated by further planting, including trees, hedging and understorey buffers around a realigned site entrance which would provide further natural enclosure to the site. The mobile homes, tourers and other structures are not readily visible as the site is approached from the east and west along Highfield Lane or from footpaths to the north of the lane and south of the M6. The Nissen Hut which is likely to remain, come what may, is the most prominent feature.
9. The site was used in the 1970's for the storage of plant, machinery and materials associated with construction of the nearby M6 motorway. The Nissen Hut was erected in connection with those works. In 2002 planning permission was granted for use of the site for storage purposes, albeit with a condition restricting storage to the building itself. This use was implemented. It is not disputed that the storage use could lawfully recommence. The site is owned by Warwickshire County Council (WCC) who would be expected to achieve rental income from the site. The storage use, which could include the parking of a significant number of commercial vehicles on hardstandings on the open areas

of the site, other on-site activity and traffic generation associated with a business use, represents a genuine fallback position.

10. In terms of Green Belt purposes, concerns raised by the Council focus on safeguarding the countryside from encroachment. However, the use would remain within the existing clearly defined physical limits of a previously developed site with no spilling over onto adjacent land. There would be no material encroachment of development into the countryside.
11. In conclusion, taking into account the previous use and the fallback position, the proposal would not lead to a material loss of Green Belt openness and would not conflict with any Green Belt purposes, including that of safeguarding the countryside from encroachment.

Character and appearance

12. There are fields used for arable crops and grazing to the west and east of the appeal site and on the northern side of Highfield Lane. The rising ground to the south of the M6 has similar characteristics. However, the busy M6 with its traffic noise has a significant effect on the character of the area and, together with Corley Services and a new gantry, dominates views from the bridge over the motorway to the east of the site. The gantry also forms a backdrop to the site in views from the lane, as do electricity pylons in the middle distance. Therefore, although in a countryside location, urban influences are present.
13. The site lies within the *Church End to Corley – Arden Hills and Valleys Character Area* in the Landscape Character Assessment¹ (LCA). The description recognises that the southern and eastern parts of the Character Area are affected by a network of busier lanes, the M6 and pylons, so has many suburban elements.
14. In this context, apart from the Nissen Hut, the relatively well-screened site is not prominent or discordant. The proposed planting would assist further with the development's assimilation into the countryside. The screening would be less effective when the vegetation is not in leaf, but it would also provide less screening to a commercial use on the site. Taking into account the existing characteristics of the site and the fallback position, the use would not offend the landscape and management objectives set out in the LCA.
15. Accordingly, the proposal would not have a significant adverse effect on the character and appearance of the area. The site would comply with the last bullet point contained within Policy NW8 of the North Warwickshire Core Strategy (CS) adopted in October 2014 and the criterion with the same wording in Policy LP10 of the emerging North Warwickshire Local Plan (ELP) in that the site can be assimilated into its surroundings and landscape without any significant adverse effect. These policies and PPTS recognise that traveller sites can be located in rural areas, they can be a common sight in the countryside, and they are not intrinsically discordant features.
16. I would not go as far as suggesting that the development would positively improve the quality of the area or restore landscape character as required by Policies NW12 and NW13. However, it seems to me that the former policy is primarily targeted at new build development in settlements and the latter at the protection of natural assets. Neither policy is directly relevant in this case.

¹ North Warwickshire Landscape Character Assessment and Capacity Study August 2010

They were not referred to in the decision notice. Policy NW8 is the most important policy for determining the appeal.

Sustainable pattern of development

17. The nearest villages to the appeal site are Corley and Fillongley about 1.5 miles to the west. The villages provide limited services, although there is a primary school and small doctors' surgery in Fillongley. The nearest shop is at Keresley End about 1.5 miles to the south-east. The towns of Bedworth and Nuneaton lie further away to the east where there are primary and secondary schools as well as health services and shopping facilities. The outer limits of Coventry with its wider range of facilities are about five miles to the south. The site is not physically isolated or away from the existing settlements which together provide a good range of facilities.
18. There are pavements linking the site to Fillongley and along most of the route to Corley via Highfield Lane and Tamworth Road, the B4098. There is street lighting on the B4098 towards Fillongley. There is also a bus service to Coventry on Tamworth Road about ½ mile from the site. Using the bus is an alternative to the private vehicle, although the service is limited to four buses in each direction on weekdays, two buses on Saturdays with no Sunday service. Some of the children on the site use school transport which stops at the site entrance.
19. However, despite the existence of the school bus service and a safe walking route to the nearest settlements and public transport, most journeys, including shopping trips and visits to the doctors or hospital, are likely to be undertaken by private vehicle. However, trips to access facilities would not be long.
20. Overall the use would result in a sustainable pattern of development with particular reference to accessibility to services. The proposal would accord with Policy NW8 of the CS and Policy LP10 of the ELP as the site is suitably located within a safe, reasonable walking distance of a settlement development boundary at Fillongley and a public transport service, with access to a range of services, including school and health services. There is no conflict with the Government's policy of very strictly limiting new traveller development in open countryside as the site is not away from existing settlements. Based on my experience the site compares favourably with many traveller sites in terms of access to services.
21. Policies NW2 of the CS and Policy LP2 of the ELP indicate that development beyond settlements with a development boundary will be limited to that which requires a rural location. I consider that the proposal accords with these policies because the provisions of Policies NW8 and LP10 and PPTS taken together indicate that traveller sites may require a rural location.

Other considerations

Need for and provision of sites

22. The CS through Policy NW7 identified a need for 9 residential and 5 transit gypsy and traveller pitches in the period 2011 to 2028. Permanent permissions since 2011 have resulted in 17 private residential pitches and 12 transit pitches being provided or approved which exceeds the requirement and has allowed the Council to maintain 5 years' worth of specific deliverable sites against the requirement. That said, the fact that the requirement has been exceeded

should not prevent other suitable sustainable sites coming forward. The requirement is not a ceiling.

23. The Gypsy and Traveller Accommodation Assessment (GTAA) that informed the CS was published in 2013 and is based on evidence collected in 2012. The appellants criticise the 2013 GTAA for not assessing all of the need at that time. For example, the two pitches on the appeal site do not appear to have been taken into account as a temporary permission. Other sites which were unauthorised do not seem to have been counted. That said, there do not appear to have been any objections to the 2013 GTAA as a basis for Policy NW7, during the examination of the CS. Indeed, there was input from the traveller community. It is not for me to go back 6 years and reassess the need identified in the CS in the context of a planning appeal.
24. The 2013 GTAA has also been used to inform the ELP. The ELP identifies the same requirement for the same period as the CS, 2011 to 2028, even though the ELP plan period is up to 2033. On the face of it, this emerging requirement has also been met.
25. However, the Inspector examining the ELP has requested justification for the approach having regard to the latest evidence in respect of traveller needs relative to supply. I take it from this that he expects the Council to update its evidence base to support the ELP which is not surprising given that the GTAA is over 6 years old. Indeed, the Council has commissioned a new GTAA with Tamworth and Lichfield Districts with an anticipated publication date of later in 2019. Whilst not wishing to predict the extent of current need, it is likely, based on a combination of factors such as household growth from the authorised pitches within the Borough; the needs from the appeal site and other unauthorised encampments, the waiting list and those in 'bricks and mortar'; and the extended plan period; that the figure will be higher than currently set out within Policy LP6 of the ELP. In the circumstances I give Policy LP6, insofar as it relates to gypsy and traveller pitches, limited weight.
26. PPTS expects allocations to be made where there is an identified need. The CS anticipated that pitch allocations would come forward as part of a separate Development Plan Document (DPD). No such DPD has been prepared. Whilst the lack of allocations has not prevented sites coming forward and the windfall permissions granted exceed the requirement, they do not necessarily meet the needs of all traveller families. For example, there is likely to be those who cannot afford to purchase a private site and may require pitches of a different tenure such as those for rent. When comparing the approach of the development plan to the settled community, allocations would assist in addressing duties under the Equality Act 2010, including the Public Sector Equality Duty. Although it is accepted that no sites were put forward for allocation in response to a 'call for sites', this does not mean that the Council should necessarily have avoided its obligations to find sites to allocate, including through the use of publicly-owned land or acquisition powers.
27. In conclusion, whilst the development plan requirement has been met, the evidence base is dated. Until the new GTAA and ELP examination are completed it is not possible to quantify the current level of need. But it is likely that the need will be greater than the requirement identified in the ELP. Moreover, although a steady supply of private sites has come forward, the CS, the ELP or another DPD have not allocated land. These factors are reflected in

the waiting lists for public sites and the inability of WCC or the appellants themselves to find an alternative to the appeal site.

Alternative sites

28. WCC arranged for the appellants to move from the County Council owned site at Griff in Bedworth to the appeal site in 2009 due to the chronic health needs of one of the children. The Griff site could not cater for those needs. In granting the temporary personal permission in 2012, these particular personal circumstances were a weighty factor for WCC. Sadly, the child passed away in 2013 and the permission lapsed.
29. For the last 6 years both WCC and the appellants have been seeking an alternative site. There have been vacant pitches at the Griff site but for reasons explained in evidence these would not be suitable. Other public sites are oversubscribed. The appellants have been unable to find a piece of land that is affordable and suitable. No other suitable alternative sites have been found by WCC. This is confirmed by court proceedings in January 2016 and September 2017 when the judgements required that WCC only enforce possession of the land if a suitable alternative of two pitches together was offered. No offer of suitable sites has been made to date. No known alternative sites are available for the appellants and their families.

Personal circumstances

30. The families have been on the appeal site for 10 years. Their move to the site was supported by WCC. They have invested a lot of money to make it neat and tidy. There are emotional ties to the site. There has been integration into the community through connections with local schools and a church.
31. Together the appellants have 13 children, 6 of whom currently attend schools in Bedworth and Nuneaton. The evidence indicates that attendance at the schools has been a considerable benefit to the children.
32. The adults on the site have had specific health conditions documented in the evidence and have attended appointments nearby in relation to those conditions. The adults and their children are registered with surgeries in nearby settlements.
33. Remaining on the site would allow those children in school to continue with their education in a place that they feel settled and those with health conditions to continue to access regular appointments. The benefits of a settled base are well-documented in terms of education and access to health care. There would also be advantages for the general well-being of the families in being finally settled and maintaining access to basic amenities and a secure living environment. In particular retaining a settled base would be in the best interests of the children. In stark contrast the alternative of an itinerant life by the roadside would be damaging to the education, health and well-being of the families. Living by the side of the road would not be an inevitable consequence of dismissing the appeal because of WCC's obligations, but it would be a more likely outcome in the long run.

Other matters

34. Paragraph 13 of PPTS recognises that whether traveller sites are sustainable should be considered in the round taking into account economic, social and

environmental dimensions. The occupants appear to have existed peacefully with the local community. The settled base allows all residents access to health services and for the younger children to attend school regularly. Being on the site reduces the families' need for long-distance travelling and encampments by the roadside which can lead to tensions between the settled and traveller communities and the potential for anti-social behaviour. There is no evidence of pressure on local infrastructure or services. The site allows some of the occupiers to live and work from the same location. The site is not in an area at high risk of flooding. There is no evidence before me that the proximity of the site to the M6 leads to an unacceptable living environment by reason of noise or air quality. The vehicular access to the site has acceptable visibility. The site is served by a good highway network.

35. The site is previously-developed land. PPTS advises that weight should be attached to the effective use of brownfield land. The explanation to Policy NW8 refers, for sites that fall outside a development boundary, to a preference for previously-developed land. In addition, the other factors within paragraph 26 of PPTS would be achieved – the site would be well planned and soft landscaped, would provide a play area for the children and would not be enclosed by hard landscaping – and can be given weight in favour.
36. There are understandable local concerns that the appellants have been occupying land that they do not own, without permission. The unauthorised use has been taking place since 2013. The Government's Planning Policy Statement of August 2015 indicated that intentional unauthorised development is a material consideration that should be weighed in the determination of appeals. That said, permission would end a long period of uncertainty for both the site occupants and local people.
37. The appellants do not own the site and have illegally occupied it for the last 6 years. WCC has been seeking repossession. It is stated that the site is leased to a farmer but, unlike neighbouring land, there is no evidence of it having been used for agricultural purposes. Moreover, the primary reasons for repossession are cited as planning issues. In 2012 WCC accepted that, if very special circumstances were demonstrated, then that was reason to allow the families to remain. I see no reason why a public authority should take a different approach now. Should planning permission be granted it would be in the interests of WCC to put in place arrangements to provide for the families and obtain an income from the land. The site should be deliverable and would count towards the supply of sites in the Borough.

Planning Balance, Conditions and Conclusion

Planning Balance

38. The National Planning Policy Framework (the Framework) requires that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
39. The proposal would represent inappropriate development which attracts substantial weight. In terms of other harm, moderate weight should also be attached to the harm caused by the intentional unauthorised development. I have found no other specific material harm from the development.

40. The effects on Green Belt openness, the Green Belt purpose of safeguarding the countryside from encroachment and the character and appearance of the area are neutral considerations in the planning balance for the reasons given earlier.
41. In terms of benefits, the use would result in a sustainable pattern of development with particular reference to accessibility to services and would meet the sustainability considerations set out in paragraph 13 of the PPTS. Taken together these sustainability considerations attract moderate weight.
42. In terms of other factors in favour, moderate weight should be afforded to the combination of factors related to the need and provision of sites – the likely need for traveller sites in the Borough going forward, the failure of policy in allocating sites and providing an ongoing supply, and the lack of alternative sites for the particular families.
43. I attach significant weight to the factors referred to in paragraph 26 of PPTS, notably the use of brownfield land.
44. The personal circumstances of the families are a consideration which should be afforded significant weight in the planning balance taking into account the time they have resided on the site. This has resulted in strong ties being developed and continuity in education and health care provision. The best interests of the children, the families' right to a home and the ability to live together as part of their traditional way of life would all be served by a permission.
45. Overall, my conclusions are that the harm by reason of inappropriate development in the Green Belt together with the harm by reason of intentional unauthorised development are clearly outweighed by the sustainability benefits, the need and provision factors, the use of brownfield land and the personal circumstances. These other considerations, taken together, are sufficient to constitute the very special circumstances necessary to justify a permanent permission.
46. PPTS makes it clear that personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. In this case need is not a substantial factor in favour. But the other considerations in favour go beyond the need issue and personal circumstances.
47. In terms of the development plan, because the site is within the Green Belt and despite the proposal's compliance with the bullet-pointed criteria within the policy, there would be conflict with Policy NW8 of the CS. I have not found any material conflict with other policies of the development plan. Policy NW3 clarifies the extent of the Green Belt, leaving the definition of inappropriate development to the Framework, so there is no direct conflict with that policy. I only attach limited weight to the traveller policies of the ELP because they are subject to examination and the Inspector has raised questions about the evidence base. That said, Policy NW8 is the most important policy for determining the appeal and is not out-of-date. The proposal would conflict with the development plan overall.
48. However, in this case the material considerations that clearly outweigh the harm to the Green Belt and other harm indicate that the appeal should be determined other than in accordance with the development plan.

49. In coming to my conclusions, I have taken into account that 40% of the Borough is not in the Green Belt. Those gypsy and traveller sites permitted since 2011 have been beyond the Green Belt. This is an approach that is consistent with national and development plan policy. However, the particular circumstances that apply in this case are exceptional and are unlikely to be repeated. This decision should not undermine the Council's approach.

Conditions

50. In granting planning permission, a condition limiting occupation to the two particular families is necessary as personal circumstances have been a significant factor in granting planning permission. There is no need for an additional condition limiting occupation to those who meet the definition of travellers within PPTS as the appellants' status is not in doubt. Once occupation by the families ends the site may need some restoration which should also be required by condition.
51. The site layout plan is acceptable in respect of the re-siting of some of the caravans and provision of additional soft landscaping and so is referred to in the conditions for certainty. That said, certain elements of the layout may need adjusting to reflect the need for acceptable foul and surface water drainage and to take into account the ancillary development that is currently on the site, including a recently erected dayroom. A condition requiring the submission of a site development scheme would allow all factors to be taken into account in the final layout. The quality of the existing and proposed landscaping would be ruined if the site was to be enclosed by fencing or walls or other elements were to be introduced. The site development scheme condition should control such additional features.
52. Conditions are required to limit the number of pitches, caravans and commercial vehicles in the interests of Green Belt openness and the character and appearance of the area. Controls on commercial activities, including storage, are needed for similar reasons.

Conclusion

53. For the reasons given above I conclude that the appeal should be allowed subject to the conditions discussed above and set out in the attached schedule.

Mark Dakeyne

INSPECTOR

Attached – Schedule of Conditions

SCHEDULE OF CONDITIONS

- 1) The occupation of the site hereby permitted shall be carried on only by Mr Isaac and Mrs Lisa Doherty and their resident dependants and Mr Steven Doherty and Mrs Rebecca Doherty and their resident dependants.
- 2) When the land ceases to be occupied by those named in condition no 1 above, all mobile homes, caravans, buildings, structures, materials and equipment brought onto the land or works undertaken in connection with the use shall be removed and the land restored to its condition before the development took place.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan TDA.2352.01 and Site Layout and Detailed Landscape Proposals TDA.2352.03, except where amended by the Site Development Scheme required by condition no 4.
- 4) The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 3 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:

(i) within 3 months of the date of this decision a scheme (hereafter referred to as the Site Development Scheme) shall have been submitted for the written approval of the local planning authority for:

- (a) the internal layout of the site, including the siting of caravans and any ancillary structures and the position of hardstandings and parking areas;
- (b) any adjustments to the soft landscaping scheme and siting of the play area shown on Drawing TDA.2352.03;
- (c) any external lighting within the site; and,
- (d) details of foul and surface water drainage.

(ii) If within 12 months of the date of this decision the local planning authority refuse to approve the Site Development Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Site Development Scheme shall have been approved by the Secretary of State.

(iv) The Site Development Scheme shall be implemented in full in accordance with the approved details no later than 6 months from its written approval.

Upon implementation of the approved Site Development Scheme specified in this condition, that scheme shall thereafter be maintained. No structures, lighting, hardstandings or means of enclosure other than those forming part of the approved scheme shall be constructed or erected on the site.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 5) If within a period of 5 years from the implementation of the Site Development Scheme, any trees or plants which formed part of the approved site development scheme die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.
- 6) There shall be no more than 2 traveller pitches on the site. No more than 7 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed on the site of which no more than 2 shall be static caravans or mobile homes.
- 7) No more than four commercial vehicles shall be stationed, parked or stored on the site. Each vehicle shall not exceed 3.5 tonnes in unloaded weight. No other commercial vehicles shall be kept on the land.
- 8) No commercial activities, including the storage of materials, shall take place on the land, including within the Nissen Hut, other than the storage of materials in vehicles authorised to be parked on the site.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Jack Smyth of Counsel Instructed by Steve Macey, the Council's Acting Chief Executive

He called

Mike Dittman MRTPI Senior Planning Officer

FOR THE APPELLANT

Stephen Cottle of Counsel Instructed by Dr Angus Murdoch

He called

Rhodri Crandon TDA Landscape Consultancy
BA(Hons) Dip LA

Isaac Doherty Appellant

Steven Doherty Appellant

Dr Angus Murdoch Planning Consultant
BA(Hons) MSC PHD MA MRTPI

PLANS AND DOCUMENTS SUBMITTED AT THE INQUIRY

DOC 1 – E-mail of 15 July 2019 with details of planning applications for traveller pitches, submitted by the appellants

DOC 2 – Examining Inspector's Note dated 12 June 2019 regarding progress on the ELP, submitted by the appellants

DOC 3 – Appellants' opening statement

DOC 4 – Council's opening statement

DOC 5 – Appendix 5 to the ELP showing authorised traveller sites, submitted by the appellants

DOC 6 – Coventry and Warwickshire Joint Green Belt Study dated April 2016, submitted by the Council

DOC 7 - Examining Inspector's Note dated 14 December 2018 regarding progress on the ELP following initial hearings, submitted by the appellants

DOC 8 – Common Ground – Equality, good race relations and sites for Gypsies and Irish Travellers - Report of a CRE inquiry in England and Wales, submitted by the appellants

DOC 9 – Committee report on planning application for an emergency stopping place at land adjacent to Oldbury Road, Nr Oldbury, Warwickshire dated January 2016, submitted by the appellants

DOC 10 – Schedule of Conditions agreed by the main parties

DOC 11 – Council's closing submissions

DOC 12 – Plan of site in connection with planning application Ref: PAP/2-017/0236 subject to refusal in June 2017, submitted by the appellants

DOC 13 – List of Authorities relied on by the appellants

DOC 14 – United Nations Convention on the Rights of the Child – General Comment on the rights of a child taken as a primary consideration (May 2013), submitted by the appellants

DOC 15 – British Railways Board v Secretary of State for the Environment and Others – House of Lords judgement – 1993 WL 963747, submitted by the appellants

DOC 16 – Peter Sharma v Secretary of State for Housing, Communities and Local Government – [2018] EWHC 2355 (Admin), submitted by the appellants