



Appeal Decisions

Hearing Held on 26 February 2020

Site visit made on 26 February 2020

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2020

Appeal A - Ref: APP/W0530/W/19/3236041

Land at Carefield, Button End, Harston, Cambridgeshire CB22 7NX

- 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 John Hedges against the decision of South Cambridgeshire District Council.
 - The application Ref S/0868/19/FL, dated 2 May 2019, was refused by notice dated 2 August 2019.
 - The development proposed is described as 'siting of an additional 5 mobile homes and associated hardstanding'.
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Appeal B - Ref: APP/W0530/W/19/3242317

Land at Carefield, Button End, Harston, Cambridgeshire CB22 7NX

- 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 John Hedges against the decision of South Cambridgeshire District Council.
The application Ref S/3106/19/FL, dated 6 September 2019, was refused by notice dated 4 November 2019.
 - The development proposed is described as 'siting of an additional 3 mobile homes and associated hardstanding'.
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Decision

1. Appeal A is dismissed
2. Appeal B is allowed and planning permission is granted for the change of use of land for the stationing of caravans for residential purposes and associated hardstanding at land at Carefield, Button End, Harston, Cambridgeshire CB22 7NX, in accordance with the terms of the application, Ref: S/3106/19/FL, dated 6 September 2019, subject to the conditions set out in the attached schedule.

Preliminary Matters

3. I have considered the two appeals concurrently, but on their own merits, because there are some common matters between them. At the hearing the appellant sought to submit the additional evidence listed at the end of this decision. It was relevant to my considerations, reasonably brief and capable of being addressed by the parties present. I therefore accepted it as no party was significantly prejudiced by this course of action.

4. A mobile home has been moved onto the site and is currently positioned behind the appellant's gym¹ and mobile home, the latter approved in 2013. The new pitch is delineated by a fence and includes a parking area and lawned garden. Development has therefore commenced. In addition, a driveway has been constructed along the boundary with Serotina but this may have been laid some time ago in connection with an existing hard standing and yard area.
5. In my formal decision I have amended the description of development to refer to a change of use of land as this more precisely describes Appeal B.

Background

6. Mr Hedges (the appellant) and his wife have lived on their pitch at Button End for a long time, having been granted temporary planning permission in 2004 and a permanent permission in 2013. They are both Romany Gypsies and have five sons. Mr and Mrs Hedges three eldest sons are all married and have started families so it would be impractical for them to stay on Mr and Mrs Hedges' pitch. This would also breach the conditions placed on the 2013 planning permission. The appellant's two younger sons are still in education and currently live with Mr and Mrs Hedges as their dependents. They nevertheless travel with Mr Hedges for economic reasons on occasion to help with his work and at horse fairs.
7. The three eldest brothers each have their own landscape gardening business, which requires them to travel around the country setting up in different areas and advertising for work. Kent and Surrey are two areas they often gravitate to as well as Cambridgeshire. In addition, they also breed and trade horses with around thirty stabled around the country. All three attend the traditional horse fairs to trade horses in order to supplement their income. Their families will travel with them and stay in touring caravans on a network of sites throughout the country that they have established through contacts. None of them have a settled base but they will return to Button End for Christmas.
8. Given the above, the three eldest brother and their wives and dependents have a nomadic habit of life linked to the families' livelihoods. The two younger sons have a nomadic habit of life when travelling with their father, but they are too young to be in full time employment. Thus, their nomadic habit of life is in association with their fathers. Accordingly, the intended residents of the five pitches meet the planning definition of Gypsies and Travellers as set out in the Planning Policy for Traveller Sites 2015 (PPTS). Due to the limited detail in the written submissions the Council were understandably sceptical on this point at first but upon listening to the oral evidence at the hearing the Council clarified its position, confirming that this is no longer a point in dispute.

Main Issues

9. At the outset of the hearing the Council confirmed that in respect of Appeal A it did not wish to pursue its reason for refusal relating to highway safety. This is because the details submitted with Appeal B resulted in the Local Highway Authority removing its objection. The Council and appellant are satisfied that the site access has adequate visibility splays and I see no reason to disagree based on what I observed. Thus, I have not considered this matter further.

¹ Appendix 2 of the Council's statement indicates that this was probably once a stable block

10. Policy S/4 of the South Cambridgeshire Local Plan 2018 (LP) states that new development in the Green Belt will only be approved when in accordance with Green Belt policy in the National Planning Policy Framework (the 'Framework'). I share the view of the Council and appellant that the proposals would be inappropriate development when applying the Framework and therefore they would, by definition, harm the Green Belt. This is further confirmed in the Planning Policy for Traveller Sites (PPTS).
11. Accordingly, the main issues in considering both Appeal A and Appeal B are:
- The effect of the appeal schemes on the openness and purposes of the Green Belt;
 - The effect of the proposed developments on the character and appearance of the area; and
 - If the proposals would be inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations.

Reasons

The effect on the openness and purposes of the Green Belt

12. The appeal schemes would involve operational development in the form of hardstanding being laid and fencing constructed. The establishment of the pitches would also require mobile homes to be sited on the land and space would be created for gardens and parking areas. The latter would accommodate touring caravans and other vehicles. Both schemes would also introduce additional domestic paraphernalia and activity. The proposals would therefore erode the openness of the Green Belt by introducing development onto land that was previously undeveloped paddocks, as demonstrated by aerial photographs supplied by the Council.
13. The linear arrangement of the pitches would spread development back from the road. This would be an encroachment into the countryside and therefore the proposals would fail to adhere to one of the five purposes of the Green Belt listed in the Framework. Appeal A would have an appreciably greater impact in this respect as it would project back behind the rear boundary of Serotina.
14. However, both schemes would be reasonably modest in size and viewed in the context of existing built development, including the appellant's existing pitch and gym. In addition, the loss of openness would be moderated in a visual sense due to the screening and filtering effects provided by existing surrounding structures and landscaping. Thus, the overall harm to the openness of the Green Belt would not be significant. Instead, Appeal A would result in a moderate impact on openness and Appeal B a limited effect.
15. In conclusion, the Framework advises that openness is an essential characteristic of the Green Belt, the fundamental aim of which is to keep land permanently open. The harmful loss of openness that would be caused by the appeal schemes would be at odds with this fundamental aim. It would also be contrary to Policy NH/8 of the LP, which seeks to secure development that does not have an adverse impact on the openness of the Green Belt.

The effect on the character and appearance of the area

16. As previously mentioned, the pitches proposed in the two appeal schemes would be located to the rear of the appellant's home with access provided from Button End, a rural lane that becomes a public footpath a short distance from the appeal site. There is a mix of development along Button End in the vicinity of the site, which is variable in scale, style and use of materials. That said, there are undeveloped spaces between properties and buildings, which are often separated by hedges, paddocks, fields and generous gardens. Button End therefore has a verdant and semi-rural character where the village of Harston tapers off into a more open and rural agricultural landscape beyond.
17. Many of the properties along Button End are located towards the front of their respective plots with large gardens to the rear. This reinforces a sense of space behind the frontage development. However, both appeal schemes propose a regimented linear arrangement to the pitches that would project back from the road. This would result in the paraphernalia, vehicles and mobile homes associated with the occupation of the pitches encroaching a notable distance into the previously undeveloped land behind the frontage development. Such an arrangement would be at odds with the grain of Button End and erode the semi-rural and verdant character of the area. This impact would be greater than that of the appellant's approved pitch, which is positioned closer to the road in a way consistent with the local pattern of development. This would be the case even though there has been development since the appellant's pitch was approved, including a small church hall.
18. That said, I was unable to see the existing unauthorised mobile home in any public vantage point. This was due to existing soft and hard landscaping, which is in the control of the appellant, and the position of his home. The second proposed pitch would likewise have a very subtle presence. The existing landscaping along the southern boundary begins to taper off beyond the position of the second proposed pitch. Therefore, it would be possible to see the mobile homes and domestic paraphernalia in the third, fourth and fifth pitches in views from Button End when broadly in the vicinity of the water treatment works to the south of the appeal site.
19. The fourth and fifth pitches would be beyond the rear boundary of Serotina and would be visible from the public footpath to the north. This is because the northern boundary of the appellant's land marked in blue on the site plan is reasonably open. As such, the fourth and fifth pitches would have an intruding visual presence in the agricultural landscape.
20. The visual impacts of Appeals A and B could be mitigated to an extent with further hedgerow planting along the southern boundary, secured through a planning conditions, which would soften views from the road. This would be particularly effective for Appeal B. In addition, planting to the rear of the third mobile home broadly in line with the rear boundary of Serotina would provide the scheme in Appeal B with a natural visual containment without the three pitches appearing segregated from the surroundings. The mobile homes could also be clad in dark materials to further soften the visual impact. Nevertheless, it would be harder to mitigate the impacts of the fourth and fifth mobile homes because they would be notably more prominent and exposed. It would be impractical and inappropriate to seek to hide these two pitches behind landscaping because such mitigation would appear contrived and could fail.

21. Nevertheless, given the foregoing analysis, the siting of the scheme in Appeal B, although out of place, would be very hard to discern and therefore the overall negative impact on the character and appearance of the area would be limited. The impact from Appeal A would be greater than Appeal B, but the Council accepted at the hearing that it would not result in a significant visual impact. I agree. Instead, the impact would be moderate. In this respect my findings are at odds with those in the Landscape and Visual Impact Assessment (LVIA) submitted with the appeal, which found a neutral effect on the wider agricultural landscape and a limited effect on Button End. The different findings can be put down to seasonal variations, as the LVIA was undertaken when surrounding landscaping was in leaf, whereas I viewed the site in the winter.
22. In conclusion, I find that Appeal A would moderately harm the character and appearance of the area and Appeal B would cause some limited harm but not at a level where it would amount to an unacceptable adverse impact. Appeal A would therefore be at odds with Policies HQ/1 and H/22 of the LP, which seek to secure development that preserves or enhances the character of the area in a way that responds to the local context and does not have an unacceptable adverse impact on the countryside and landscape character. Alternatively, Appeal B would be consistent with criteria g) of Policy H/22 because the limited harm would not amount to an unacceptable adverse impact. However, it would not conserve the rural area and therefore it would be at odds with Policy HQ/1.

Other Harm

23. The siting of a mobile home at the appeal site and the establishment of a pitch amounts to intentional unauthorised development in the Green Belt as it has taken place without the prior grant of planning permission. As such, the 2015 ministerial statement is relevant². The works are not extensive and have not, for example, resulted in hedges being breached or trees and landscaping removed. The mobile home could be removed as could the fencing and hard landscaping. Therefore, commencing the development in advance of obtaining planning permission has not resulted in irreversible physical harm to the openness of the Green Belt. Accordingly, the undertaking of intentional unauthorised development adds only limited additional weight as a material consideration against the proposal.

Other considerations

The need for and supply of gypsy sites

24. The PPTS requires local authorities to set pitch targets for Gypsy and Travellers and to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of sites against this target. To this end the Council jointly commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) and this was completed in 2016. The authors of the GTAA considered local needs by interviewing Gypsies and Travellers to establish whether they meet the planning definition in the PPTS. These interviews established that there are 11 Gypsy and Traveller households in the district that meet the definition but the status of 194 households were recorded as 'unknown', because interviews were not undertaken for various reasons.

² Green Belt Protection and Intentional Unauthorised Development 2015

25. The GTAA found that the 11 Gypsy and Traveller households identified would generate a need for 20 additional pitches over the plan period, mainly from concealed households and teenage children requiring a pitch of their own in the future. However, mainly through new household formation, the 'unknowns' could generate a need for up to 68 additional pitches for gypsies and travellers if they all meet the PPTS definition. The authors of the GTAA suggest that only 10% of the 'unknowns' are likely to meet the PPTS definition of a Gypsy or Traveller based on evidence from 1500 surveys. The appellant questioned this analysis at the hearing but did not present substantive evidence to demonstrate it was incorrect. Therefore, the GTAA suggests the unknowns could generate a need for 7 pitches. However, if this assumption is incorrect then there would be a much higher need than identified in the GTAA and LP.
26. In respect of supply, the GTAA identified 29 vacant pitches and therefore concluded that the known need for 20 pitches could be met. This would leave the remaining 9 vacant pitches to service any additional demand, such as the seven pitches that could derive from the 'unknowns'. On the back of this analysis, the GTAA identified no need for further Gypsy and Traveller pitches and did not include any allocations, relying instead on a criteria-based policy and pitch delivery as part of major developments if there is significant unmet need. This approach was found sound by the Inspector examining the LP.
27. However, the GTAA has limited detail explaining how the 29 vacant pitches were identified, and the Council were unable to provide additional clarification at the hearing. Consequently, there is doubt as to whether the vacant sites were available, suitable and achievable in 2016 and remain so. It may be, as suggested by the appellant and not disputed by the Council, that some were simply observed as being vacant by the authors of the GTAA. If so, this is unlikely to be robust because the owner/occupant could simply have been away travelling.
28. Thus, it is plausible that the GTAA underestimated the need for pitches and overestimated the supply of vacant sites. Therefore, the figures in Figure 9 of the LP need to be considered with some caution. Given the scale of the 'unknowns' there could be a significant unmet need. However, I cannot conclude this with certainty based on the evidence before me. Nevertheless, the Council were unable to provide an up to date list of vacant pitches/sites and conceded at the hearing that it is currently unable to demonstrate a five-year supply of specific deliverable sites. This would seem to support the appellant's proposition that there are problems with the findings in the GTAA, particularly those relating to the supply of vacant sites.
29. The PPTS states that a local planning authorities' inability to demonstrate an up to date five-year supply of deliverable sites should be a significant material consideration in considering an application for a temporary permission, albeit not in relation to Green Belt sites. That said, it does not say that it cannot be a material consideration when considering applications for permanent permission. Given the potential pitfalls in relying on the figures in the GTAA, I have afforded the absence of a five-year supply significant weight. Particularly as there is uncertainty over how many pitches would be delivered through major developments and when.

Accommodation needs and alternative options

30. The appellant's three eldest sons have no permanent base and are therefore in immediate housing need. Without a permanent base they would have to continue moving from one temporary site to another, at odds with the aim in the PPTS to facilitate the provision of settled bases. I was advised at the hearing that the three eldest brothers have been on the waiting list for Council owned sites for several years without success. This could be down to a low turnover, high demand and prohibitive occupation criteria, such as needing to be a relative of an existing resident, which they are not. The Council were unable to confirm how long the waiting list currently is or even if there are pitches available. Thus, the evidence before me would indicate there is no available pitches on public sites.
31. Similarly, the Council were unable to identify any specific private sites that would be suitable, available and affordable. The brothers have made some attempts to find private sites without success. This is principally because the land they can afford is often marginal land, such as flood plain, where pitches would be unsuitable. Corroborating evidence was not submitted but I have no reason to doubt what I was told. The eldest brother apparently went as far as submitting a planning application for a pitch near Sevenoaks, but this was refused. As such, it would seem that there are limited options available for the three eldest brothers in seeking to establish a settled base that would facilitate their traditional way of life. They have never lived in bricks and mortar housing and could not do so. Thus, their accommodation needs are a significant point in favour of the proposals given the current absence of a five-year supply.
32. That said, the two younger brothers currently live with Mr and Mrs Hedges, being their dependent children, and may do so for the foreseeable future given their ages. Therefore, unlike their older brothers and their families, they are not in immediate housing need.

Personal Circumstances

33. Being Romany Gypsies, the future occupants of the proposed pitches are an ethnic minority and thus have the protected characteristic of race under s149(7) of the Equality Act 2010. In such circumstances, s149(1) of the Act requires due regard to be had to the need to, amongst other matters, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This includes minimising disadvantages that are connected to that characteristic. This is the Public Sector Equality Duty (PSED).
34. The nomadic habit of life of the future occupants is linked to their culture. However, without a settled base it is difficult for the eldest three brothers and their families to balance their traditional way of life with the practical realities of modern living. For example, I was advised that a permanent address is often needed for paying bills, dealing with business and personal administration and accessing healthcare. The unavailability of vacant sites also indicates inequality in housing opportunities. These are important points in achieving the social sustainability sought by Paragraph 13 of the PPTS, as is the close proximity of the appeal site to the Harston. It does not automatically follow that the appeals should be permitted because the PSED is relevant. Nonetheless, the equality implications weigh notably in favour of permitting pitches at the appeal site because dismissing the appeals would perpetuate the

disadvantages currently being endured by the three eldest brothers and their families.

35. Moreover, Article 3(1) of the United Nations Convention on the Rights of the Child states that the best interests of the child shall be a primary consideration. This means no other consideration is more important. Between them, the eldest two brothers have five children with another due soon. The appellant's other adult son and his wife are expecting their first child. Therefore, the best interests of seven children need to be carefully considered.
36. The appellant's eldest two grandchildren are the only ones currently of school age, but the absence of a settled base has meant that when travelling they have been in and out of various schools and therefore their education to date has suffered through a lack of continuity. This is not in their best interests. The appeal schemes would remedy this. The three younger children, and those yet to born, are not currently of school age and consequently their educational needs are not as pronounced. However, if the families are unable to find a settled base, and there is little evidence that they will, then they will also have a disrupted education with the inherent disadvantages this would entail. Thus, their best interests would be served by establishing a settled base now so there is certainty over where they will go to school. A settled base would also enable access to healthcare and generally support the children's welfare by, for example, attending clubs, making friends and being close to family.
37. The appellant's two youngest sons currently have the settled base of the appellant's home and therefore the approval of Appeal A is not required to meet their best interests as they currently stand.

Other Matters

38. There is nothing of substance before me to suggest the additional pitches would prejudice highway safety. The access into the site is established, has adequate visibility and the road, although narrow, is lightly trafficked. The occupation of the additional pitches may result in some additional noise and disturbance, but this would be domestic in nature and therefore not out of place. There is no substantive evidence of an existing commercial use operating from the site and the proposal does not include any. Were this to occur then the Council would be able to undertake enforcement action if it considered it expedient to do so. Concerns have been expressed regarding the behaviour of the appellant's dogs but if this is an issue, it is pre-existing situation and not directly related to the appeal scheme before me. In this instance the appeals turn on the personal circumstances of the future residents and therefore no generalised precedent would be set by the proposal.

Planning Balance - Whether there would be very special circumstances

39. Policy S/7 of the LP establishes development frameworks and states that development will only be permitted outside of these if it is allocated within a Neighbourhood Plan that has come into force, needs to be located in the countryside or is supported by other policies in the LP. To this end, Policy H/22 of the LP permits Gypsy proposals on unallocated land outside development frameworks subject to criteria. However, where a site is in the Green Belt the policy explains that it would need to demonstrate compliance with national and local Green Belt policy to be found acceptable. In effect, very special circumstances would need to be demonstrated.

40. Accordingly, Policies S/7 and H/22 do not establish an 'in-principle' objection to Gypsy pitches in the countryside or a blanket ban on such development in the Green Belt. Instead the policies require consideration to be given to the impacts and circumstances of each proposal in the round, having regard to the criteria in Policy H/22, which would inform whether very special circumstances can be demonstrated. Thus, if there are very special circumstances then there would be no overall conflict with Policies H/22 and S/7.
41. Paragraphs 143 and 144 of the Framework set out the general presumption against inappropriate development within the Green Belt. Such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development 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.
42. I have concluded that the appeal schemes would be inappropriate development that would, by definition, harm the Green Belt. The appeal schemes would also result in moderate harm to the openness of the Green Belt, with Appeal A having a greater impact than Appeal B. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt. In addition, Appeal A would result in moderate harm to the character and appearance of the area and Appeal B limited harm. This would be at odds with the development plan, with Appeal A having a greater conflict in this respect. In addition, the intentional unauthorised development carries limited weight against the proposals.
43. There are several points in favour of the proposals. The Council are unable to demonstrate a five-year supply of pitches. The proposals would meet the accommodation needs of the appellant's eldest three sons and their families, all of whom meet the planning definition of Gypsies and Travellers in the PPTS. However, Appeal A includes two pitches to serve the younger two sons, who do not currently have any accommodation needs. Both of the appeal schemes would support the traditional way of life of families that have a protected characteristic.
44. The accommodation needs and personal circumstances of the intended occupants are together, significant points in favour of the proposals, at least in respect of the three older sons. However, the PPTS advises that unmet need and personal circumstances are unlikely to establish very special circumstances. Nevertheless, the best interests of the seven children is a primary consideration. All would benefit considerably from a settled base from which to gain stability and an education. In this instance, this is a compelling point that tips the balance in favour of approving three pitches. There is not the same justification for five pitches.
45. Thus, in respect of Appeal B, the harm to the Green Belt, and any other harm, including the conflict with Policy HQ/1, is clearly outweighed by the other considerations identified and therefore the very special circumstances necessary to justify the proposal have been demonstrated. However, that is not the case in respect of Appeal A, as the other considerations relating to two of the pitches lack the force required to clearly outweigh the cumulative harm and thus establish very special circumstances. In demonstrating very special circumstances, Appeal B would not result in an overall conflict with Policies H/22, S/7 and S/4 of the LP whereas Appeal A would.

46. In dismissing Appeal A, I have carefully considered the right for respect of private and family life under Article 8 of the Human Rights Act. This right would not be violated in respect of the three eldest sons and their families because I have allowed Appeal B with a personal permission relating to them. The two younger sons who would have occupied the additional two pitches pursuant to Appeal A have an existing settled base from which they pursue a traditional way of life and are not in accommodation need. As such, dismissing Appeal A would not amount to an unjustified and disproportionate interference with their Article 8 human rights.

Conditions (in respect of Appeal B)

47. I have had regard to the advice in the Planning Practice Guide and the conditions suggested by the Council. As the development has already commenced it is unnecessary to impose a condition in this regard. However, as the proposals has only partially commenced, it is necessary, in the interests of certainty to impose a plans condition.
48. Appeal B is acceptable due to the personal circumstances of the intended occupiers. Therefore, it is necessary to impose a personal permission. As only three pitches have been justified it is necessary to confirm this.
49. It is necessary in the interests of safeguarding the character and appearance of the area and living conditions of neighbours to limit the size of vehicles and the extent of external lighting and for a scheme to be submitted for approval that addresses the landscaping of the site. With the scheme approved and safeguarded it is unnecessary to remove permitted development rights to erect fencing. To ensure adequate drainage it is necessary for the scheme to include such details. It is unnecessary to prohibit commercial activity at the site as the Council would have control over this were a change of use to occur. Moreover, substantive evidence is not before me to suggest the land may be contaminated so a condition in this regard is unnecessary.
50. The future occupants of the three pitches currently meet the PPTS definition of a Gypsy and Traveller and the permission would be personal to them. There is nothing before me to suggest they would seek to cease travelling in the future. This would be highly unlikely in any event given how integral travelling is to their way of life. As such, it is unnecessary to impose a condition requiring the pitches to be occupied by those meeting the PPTS definition.

Conclusion

51. Appeal A does not accord with the development plan or national policy and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal has not succeeded.
52. Appeal B adheres to the development plan taken as a whole and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, this appeal has succeeded.

Graham Chamberlain
INSPECTOR

Attached – Schedule of Conditions

APPEARANCES

FOR THE APPELLANT

John Hedges snr
John Hedges
Mathew Hedges
Jason Hedges
Alan Masters
Brian Woods
Rob Petrow

Appellant

Counsel
WS Planning and Architecture
Petrow Harley Ltd

FOR THE LOCAL PLANNING AUTHORITY

Fiona Bradley

South Cambridgeshire District Council

DOCUMENTS SUBMITTED AT THE HEARING

1. Appeal decision APP/J1915/W/19/3234671
2. A letter from Harston and Newton Community Primary School
3. Draft guidance to local housing authorities on the periodical review of housing needs

Appeal B - Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans and any other plans required pursuant to the conditions hereby imposed: Drawing numbers J003372/CD01, J003372/CD02, J003372/CD03.
- 2) The mobile homes hereby permitted, shall not be occupied or used other than by:

Mobile Home 1- Mr Jason Hedges and/or Mrs Lisa Hedges and their resident dependents.

Mobile Home 2 – Mr John Hedges and/or Mrs Charlenne Hedges and their resident dependents

Mobile Home 3 – Mr Matthew Hedges and Mrs Jade Hedges and their resident dependents
- 3) There shall be no more than three pitches within the site (in addition to that already approved in 2013 under reference S/0218/11). On each of the three additional pitches hereby approved no more than two caravans shall be stationed at any one time, of which no more than one shall be a mobile home or a static caravan as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.
- 4) No vehicles over 3.5 tonnes shall be stationed, stored or parked on the site and not more than four vehicles shall be stationed, stored or parked on the site at any one time.
- 5) The use hereby permitted shall cease and all caravans, structure, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days 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 Site Development Scheme, hereafter referred to as the 'Scheme', for:
 - foul and surface water drainage;
 - the appearance of the mobile homes, including the external finishing materials
 - hard and soft landscaping details, including the species, plant sizes and proposed numbers and densities of planting including and measures for their protection, maintenance and retention; means of enclosure
 - external lightingshall have been submitted for the written approval of the Local Planning Authority and the said Scheme shall include a timetable for its implementation.
 - ii) If within 6 months of the date of this decision the Local Planning Authority refuse to approve the 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 Scheme shall have been approved by the Secretary of State.
- iv) the approved Scheme shall have been carried out and completed in accordance with the approved timetable and thereafter maintained and retained as approved.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained.

- 6) Any trees or plants put in place in accordance with condition 5) above which within a period of 5 years from their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation
- 7) No external lighting shall be put in place or operated on the site at any time other than that which has been previously submitted to and approved in writing by the Local Planning Authority as part of the Site Development Scheme.

End of Schedule