
Appeal Decisions

Hearing Held on 26 to 28 October 2021

Site visit made on 29 October 2021

by Diane Lewis BA(Hons) MCD MA LL M MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2022

Land at Plots 25 and 26 Roydon Lodge Chalet Estate, Roydon CM19 5EF Appeal A Ref: APP/J1535/C/18/3215169

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr W Doherty against an enforcement notice issued by Epping Forest District Council.
- The enforcement notice was issued on 28 September 2018.
- The breach of planning control as alleged in the notice is:
Without planning permission: The material change in the use of the Land from a recreational leisure plot use to a residential use including the stationing of static caravans, touring caravans and associated development, including the installation of a cess pit and hardstanding.
- The requirements of the notice are:
 - i. Cease the use of the Land as a residential caravan site.
 - ii. Cease the residential use of the Land between 1 November and 31 March inclusive.
 - iii. Remove from the Land all mobile homes, caravans, hardstanding, sheds, day rooms, septic tanks and other structures on the land used in connection with the residential use of the Land.
 - iv. Remove from the Land all domestic paraphernalia and debris associated with the residential use of the Land and any debris resulting from compliance with paragraphs (i) to (iii) above.
- The period for compliance with the requirements is within 6 months after the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (f) and (g) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act as amended.

Summary of Decision: The enforcement notice is quashed.

Appeal B Ref: APP/J1535/W/18/3204593

- 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 W Doherty against the decision of Epping Forest District Council.
- The application Ref EPF/0637/17, dated 28 February 2017, was refused by notice dated 30 January 2018.
- The development proposed is Change of use from double leisure plot to mixed use as leisure plot with 2 caravans, sheds, cess pit and associated hard standing and third static caravan for residential occupation by traveller family with storage of a touring caravan.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The appeals for Plot 25-26 were heard together with a number of appeals concerning various plots at Roydon Lodge Chalet Estate (the Chalet Estate) in relation to enforcement notices issued by the Council and against refusals of planning permission.
2. The discussion at the hearing considered the site history, matters specific to the enforcement notices, planning merit issues, plot specific matters and concerns of the Parish Council and residents that formed no part of the Council's case. Even though certain issues were discussed in the round to avoid repetition, each appeal will be considered on its individual merits with a single decision letter addressing the appeal(s) for each plot. For ease of reference a summary of all Decisions is at the end of this document.
3. I carried out site visits to the Chalet Estate on 25 and 29 October 2021, as well as familiarising myself with the surrounding area on other occasions.
4. In respect of Appeal B and its potential implications for the Epping Forest Special Area of Conservation (the SAC), Natural England was consulted in order to comply with the requirements of the Conservation of Habitats and Species Regulations 2017. The response was received on 27 April 2022.

Site and Surroundings

5. The Chalet Estate is located to the north and east of the village of Roydon within the Metropolitan Green Belt. A number of plots of land are served by a central access road, with a vehicle entrance at the western end of the estate. A single track road and a network of public rights of way link the Chalet Estate to the village. A railway line follows the northern boundary, otherwise the plots are bounded by fields to the south and east.
6. In the late 1940s the land consisted of around 50 allotment plots, provided as part of the Dig for Victory campaign during World War Two. The allotments subsequently became leisure plots. On 18 May 1951 enforcement notices were issued requiring each plot to be cleared of all structures. At the same time the Council stated that it was not the intention to stop the use of the land for gardening purposes or to prohibit weekend and holiday occupation of a suitable type of chalet during the summer months.
7. Thereafter a planning history has developed specific to each plot or combined plots, as outlined in the appeal documents. A small number of plots are characterised by garden land with a small traditional chalet or appear vacant and overgrown. A number of plots are occupied as caravan sites. There are also plots with dwellings and two plots have very recently built chalets.
8. Plots 25 and 26 were registered as a double plot on 25 May 2012. The double plot occupies a roughly central position within the estate and is to the south of the access road. The planning history indicates that a weekend chalet was erected on each plot, each chalet authorised by planning permission and subject to a condition that restricted use to recreational purposes between 1 April and 31 October each year. According to the Council the original chalet remained on Plot 26 in 2010 but both chalets were later demolished.
9. Former Plot 25 is subject to an enforcement notice dated 26 April 2011 that required the removal of hardsurfacing and a shed. The Council considered that

the notice was complied with at the time. Subsequently the two plots were combined, hardstanding was laid and a touring caravan and shed introduced onto the land. In November 2016 three static and four touring caravans were sited on the plots. In September 2019 the site was mainly laid to hardstanding and occupied by three static caravans, two touring caravan and a shed.

10. The appellant, when making the planning application, stated that there was a hardstanding to the front and chalet at the rear of Plot 25. A timber chalet was midway down Plot 26 with two smaller sheds in the back corner, otherwise the plot was overgrown. After the appellant occupied the combined plot the two small sheds were used for storage and the larger shed on former Plot 25 contained washing facilities.
11. In October 2021 four static caravans and a touring caravan were present on the plot, together with a shed at the rear and a small structure towards the front used as kennels.

APPEAL A

Enforcement Notice and Appeal on Ground (b)

Ground (b)

12. In the making a ground (b) appeal the appellant claims that the matters, as described in the enforcement notice as constituting the breach of planning control, have not occurred. The appellant's case is the site is in a mixed use because one caravan has been occupied residentially year round and the other caravans are occupied as part of a leisure use as a holiday home. At the hearing Anna Price (who occupies Plot 38) explained that her son William lives on the plot in one caravan. Other close members of his family come to stay in the holiday months in the two other static caravans, although they all have accommodation elsewhere which serves as their permanent homes.
13. The Council does not accept the material change of use was to a mixed use for leisure and residential purposes and considers that the use described by the appellant is a single primary residential use.
14. The matters constituting the breach of planning control, as alleged, are a material change in the use of the land from a recreational leisure plot use to a residential use including the stationing of static caravans, touring caravans and associated development, including the installation of a cess pit and hardstanding. The planning unit is the area of the double plot known as Plot 25 and 26, having regard the unit of occupation and physical and functional characteristics.
15. As indicated from the appellant's case, there is no dispute that as a matter of fact static and touring caravans have been stationed on the land and that one static has been used for residential purposes. The appellant also accepts that the associated operational development has taken place. Likewise, as confirmed at the hearing, the Council accepts that family members have come to stay over the summer months as described. I have no reason to disagree with any of these facts. As described the holiday stays are for periods of weeks/months, rather than overnight, weekend or short stay use. The purpose of the visits is to stay and be with family, including through the school holidays. The nub of the ground (b) appeal is whether the described holiday home use of the static caravans amounts to a primary leisure plot use.

16. The Inspector in the 2015 appeal decision in relation to Plot 38¹ concluded that the phrase 'a leisure plot' is an appropriate phrase to describe the use of land for pleasure and enjoyment during the owner's leisure². The decision notes that the *Pitman* judgment³ confirmed that the use of land as a leisure plot can exist as a separate use in its own right. In my view, the words 'use of the land' suggests that the physical character of the plot enabled a leisure use to be carried on. The early history of the Chalet Estate supports applying such a meaning here. The evidence of aerial photographs and descriptions of the estate from various sources all point to the leisure use on the Chalet Estate in general being on landscape dominated plots. The position is no different for this double plot. The best available evidence points to the original small chalets on the then single plots supported recreational and leisure use, albeit overnight stays might have occurred occasionally.
17. An appeal decision dated 16 December 1999⁴ in relation to an enforcement notice issued on Plot 31 also provides relevant and helpful observations on descriptions of use. The notice alleged the stationing of a mobile home/caravan. The Inspector concluded that the mobile home was being used for residential purposes and the site and estate were not appropriate locations for permanent residential accommodation. However, the Council was willing to accept recreational use of the mobile home, restricted to certain months of the year. The Inspector thought "recreational" could be misleading and preferred the accepted term holiday accommodation. The outcome was that planning permission was granted for the stationing of a mobile home/caravan for residential purposes. Planning conditions required the mobile home/caravan (i) to be used only for holiday accommodation and not for permanent residential use, and (ii) not to be occupied between 1 November in any one year and 1 March in the succeeding year.
18. The Council's approach was not consistent as to how to describe seasonal use of caravans on the Chalet Estate. The statement of common ground, when in draft, stated that the lawful use of all the appeal plots is for leisure purposes including residential occupation for 7 months each year from 1 April until 31 October. Chalets and other lawful development can all be left on the plots year round. Owners are free to visit their plots year round but cannot occupy them between 1 November and 31 March. In the final document the phrase "including residential occupation" was deleted.
19. Descriptions of land use are fact sensitive, as seen from the reasoning in the 2015 appeal decision and the position on one site need not necessarily apply to another. Even so a comparison may be drawn with Plots 32B and 32C, where the enforcement notice alleges mixed recreational leisure and permanent residential use including the stationing of static caravans and associated development (touring caravans, hardstanding and cess pit). The mixed use applies to a situation where members of the appellant's family had other permanent accommodation and came to stay for a few months in the year to be with family. By contrast the Council has not accepted a mixed use for Plots 25 and 26.

¹ Appeal reference APP/J1535/C/14/2211759 dated 30 July 2015 submitted with the appeal documents.

² Op cit paragraphs 32, 54 in particular

³ *Pitman v Secretary of State for the Environment* [1989] JPL 831

⁴ Appeal reference APP/J1535/C/99/1021623 dated 16 December 1999 submitted by the appellant.

Conclusions on ground (b)

20. By 2018 the double plot was laid primarily to hard standing that appeared to be used for stationing the caravans, vehicle parking and general circulation. There was a smaller area of incidental amenity space alongside the western boundary. The appearance was of a caravan site, which means land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed⁵. The position has not significantly changed in the period to 2021. However, it does not necessarily follow that the use of the site must be regarded as a caravan site to the exclusion of a leisure use.
21. Static caravans are used as the primary living accommodation, one as a permanent residential base and the other statics as holiday accommodation, where family visitors would sleep and possibly eat. No evidence was presented that described a primary leisure activity taking place on the plot or a leisure/recreational use of the land. The emphasis and stated purpose of the visits during the summer months was to spend periods of time with close and extended family. Given the close family ties a reasonable expectation is that during the stay the occupiers of the plot lived together like a household. There is no evidence that the caravans were rented out to visitors with no family connections. The probability is that any leisure or recreational activity would be ancillary – in the same way as family visitors would be accommodated in a dwellinghouse without changing its primary residential use⁶. As a matter of fact and degree the character of the activities on the land no longer amount to a primary use as a leisure plot.
22. To conclude, on the balance of probability the material change of use has been to a single primary use for residential purposes. The appeal on ground (b) does not succeed.

Enforcement notice

23. Looked at in isolation, the description of the alleged breach of planning control requires no correction. However, the notice must be looked at as a whole. I have a duty to ensure that not only the enforcement notice tells the recipients fairly what they have done wrong, but also what they must do to remedy matters. The steps set out in the notice raise questions that are not confined to resolution through a ground (f) appeal. In particular there is a tension between steps (i), (iii) and (iv) which are directed at cessation of the use as a residential caravan site and clearance of the site and step (ii) that requires the residential use to cease between 1 November and 31 March inclusive.
24. Section 173(3) of the 1990 Act states that an enforcement notice shall specify the steps to be taken or the activities that must cease in order to achieve, wholly or partly, any of the purposes set out in section 173(4). In summary, the purposes are to remedy the breach or to remedy any injury to amenity which has been caused by the breach. In specifying the steps a council may decide to under-enforce by not seeking to fully remedy the alleged breach. Case law has confirmed that the express requirements of an enforcement notice should not abrogate pre-existing rights.

⁵ Section 336(1) of the 1990 Act which in turn refers to the meaning given in section 1(4) of the Caravan Sites and Control of Development Act 1960

⁶ This analogy was made by the Council at the hearing.

25. In most of the current enforcement appeals on nearby plots I have concluded that the notice may be corrected without injustice basically by narrowing the scope of the description of the breach of planning control to a material change of use to a residential caravan site and by the deletion of step (ii) in the requirements.
26. The situation on this plot is not directly the same because of the Council's acceptance of the use of the caravans as a permanent residential base and as holiday accommodation. This dual purpose may be acknowledged in step (ii) "Cease the residential use of the Land between 1 November and 31 March inclusive". I note that in the officer report seeking authorisation for enforcement action the requirement was initially stated as cease the permanent residential use between 1 November and 1 March inclusive⁷.
27. Also, in the general discussion at the hearing on the all the notices, at one point the Council stated that the intention was step (ii) should read cease the recreational use of the land between 1 November and 31 March, not the residential use⁸. The Council further explained that step (ii) was an attempt to make clear enforcement action was not being taken against the historical position where an occupier could pull on a caravan for leisure/recreation purposes outside the winter months.
28. Against this background to delete step (ii) would cause injustice to the appellant when considered against the undisputed facts of the use that has been taking place. Also, a potential fallback may be denied to the appellant. No alternative requirements were put forward by the Council to address the circumstances on this site. To vary the requirements to allow for holiday use potentially would cause injustice to the Council.

Conclusion on Appeal A

29. For the reasons given above I conclude that the enforcement notice does not specify with sufficient clarity the alleged breach of planning control and the steps required for compliance. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act as amended since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed. In these circumstances the appeal under the various grounds (a), (f) and (g) as set out in section 174(2) of the 1990 Act as amended and the application for planning permission deemed to have been made under section 177(5) of the 1990 Act as amended do not fall to be considered.

APPEAL B

Proposal

30. On the planning application form the proposed development is described as a mixed use as a leisure plot with two caravans, sheds, cess pit and associated hard standing and third static caravan for residential occupation by traveller family with storage of a touring caravan.

⁷ Annex to the Council's statement for Plot 25-26 paragraph 4.7 of the officer report.

⁸ See also the Council's response to Inspector's Pre-Hearing Note of 16 April 2020: Cease using the land for any recreational or leisure purpose annually between 1 November and 31 March the following year.

31. The application was made retrospectively for development already carried out. The design and access statement set out that the Council had agreed that two caravans could be stationed on the land for recreation/leisure use with associated sheds and hard standing and that two statics were used by members of the appellant's family on this basis. Permission was sought for a third static caravan for use as a permanent base for year round occupation and a touring caravan that would be stored on site when not in use for travelling. The on-site facilities would be for shared use.
32. The proposed site layout plan shows a static caravan and touring caravan separated by grass in a defined area on the west of the site and two static caravans set in from the eastern boundary. A chalet and sheds are indicated near the rear boundary.
33. The appeal statement confirmed that the appellant was seeking permission for a mixed use to include retention of a leisure plot as part of the site. At the hearing the appellant confirmed that conditions restricting occupation of two of the caravans to 7 months of the year would be acceptable to reflect the leisure plot use and to enable family to visit.
34. The decision notice described the proposal as stated on the application form. However, the officer report indicated the proposal was assessed as a change of use to a residential site to accommodate a single traveller family and specifically stated that the proposed development was not for the stationing of caravans for limited holiday use but rather for permanent residential occupation.
35. I have concluded through consideration of the ground (b) appeal in Appeal A that the use described by the appellant as taking place on the site is not a mixed use. The appellant has confirmed the appeal is to proceed as submitted. As a point of clarification, the occupier of the permanent base is said to have PPTS status⁹ but that status is not claimed for the occupiers of the leisure caravans.
36. My assessment will be based on the original description of the proposed development.

Main issue

37. The main issue is whether the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations to provide the very special circumstances necessary to justify the development.
38. The potential harms relate to the effect of the development on:
 - The openness and purposes of the Green Belt
 - The character and appearance of the Chalet Estate and the surrounding countryside and landscape
 - The safety of the site occupants and others in respect of flood risk
 - The integrity of the Epping Forest Special Area of Conservation

⁹ Annex 1 of Planning Policy for Traveller Sites August 2015 Department of Communities and Local Government sets out the meaning of gypsies and travellers for the purpose of the policy. This is referred to as PPTS status.

- The amenity of the village and the settled community.
39. The carrying out of intentional unauthorised development and the use of planning conditions are additional matters to be addressed. The baseline position is the previous lawful use and actual character as a leisure plot.
40. Other considerations, potentially weighing in favour of the development, include the existing level of local provision and the need for traveller sites, the availability (or lack) of alternative accommodation for the occupier of the permanent base and other personal circumstances.
41. Integral to my decision-making will be exercising duties under the Human Rights Act 1998. Article 8, a Convention Right¹⁰, affords a person the right to respect for their private and family life, their home and their correspondence. Article 8 is a qualified right that requires a balance between the rights of the individual and the needs of the wider community. There is positive obligation to facilitate the Gypsy way of life to the extent that the vulnerable position of Gypsies as a minority group means that some special consideration should be given to their needs and different lifestyle in the regulatory planning framework and in reaching decisions on particular cases. Under the Equality Act 2010 I will have due regard to the public sector equality duty (PSED).

Planning Policy

42. The development plan for the area includes the saved policies of the Epping Forest District Local Plan adopted in 1998 and the Epping Forest District Local Plan Alterations adopted in July 2006 (the Local Plan).
43. The most important policies for determining the appeals are those related to the proposed land use and the appeal site's location in the Green Belt and countryside. The policies are Policy GB2A Development in the Green Belt, Policy RST10A Roydon Lodge Chalet Estate and Policy H10A Gypsy Caravan Sites. The supporting text to Policy H10A also sets out locational criteria for proposed gypsy caravan sites. Additional relevant policies include Policy CP1 Achieving sustainable development objectives, Policy CP2 Protecting the quality of the rural and built environment, Policy GB7A Conspicuous development, Policy U2A Development in Flood Risk Areas and Policy NC1 Nature Conservation. The reasons for refusal and issuing the notice also cite Policy LL3 Edge of settlement development. I consider this policy is not directly relevant because of the location of the Chalet Estate outside the settlement of Roydon.
44. Material considerations include the National Planning Policy Framework (the Framework), Planning policy for traveller sites (PPTS) and Planning Practice Guidance. At local level Roydon Lodge Chalet Estate Design Criteria was adopted in 2003 as Supplementary Planning Guidance (the SPG).
45. The most important policies identified above are generally consistent with the Framework and have full weight.
46. The Council is preparing the Epping Forest District Local Plan 2011-2033 (the EFDLP). Following the hearings stage of the examination into the soundness and legal compliance of the EFDLP the Inspector set out her interim advice in August 2019. In response, the Council carried out additional work and published a Schedule of proposed Main Modifications to the emerging plan.

¹⁰ Article 8 of the European Convention on Human Rights, enshrined into UK law by the Human Rights Act 1998.

Consultation on the Main Modifications ended in September 2021. At the time of the hearing the Council was compiling its responses to go to the examining Inspector. The Council anticipated that once the Inspector's report is received the period leading to adoption would be relatively short.

Reasons

Green Belt

47. Policy E of the PPTS states that inappropriate development is harmful to the Green Belt and traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Even allowing for an element of leisure use the proposal is inappropriate development and for that reason alone is harmful to the Green Belt. No contrary case was made by the appellant.
48. The essential characteristics of Green Belts are their openness and permanence. In this instance the site was predominantly open before development took place, even taking into account a chalet and a few small structures seen on an aerial photograph dated 2013 and described by the appellant. The three static caravans would have the most effect on the spatial aspect of openness. Further erosion of this characteristic would result from a touring caravan, parked vehicles and the residential activity.
49. The plot is contained within the boundary of the developed area of the Chalet Estate. No physical encroachment into the countryside has occurred and the development would not conflict with any of the stated purposes of the Green Belt. By reason of the location and scale, the site is not conspicuous and would not have an excessive adverse impact on the openness, rural character or visual amenities of the Green Belt. Policy GB7A does not count against the development.
50. The harm to the Green Belt by reason of inappropriateness has substantial weight, with a small degree of additional weight to the loss of openness. There is conflict with criterion (i) of Policy CP1 and criterion (ii) of Policy H10A.

Character and appearance

51. Planning policy expects development to be well-planned, sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing appropriate change, which may include more effective use of land.
52. Traditionally on the Chalet Estate the use of land for leisure purposes was reflected in the physical features such as the small timber chalets and the dominance of gardens and green space. The probability is that plot owners and family members went to enjoy the amenity of a plot of land in the countryside with the benefit of a small chalet or caravan on site for incidental use when there. Low level activity and a quiet, even tranquil, environment prevailed.
53. The evidence indicates that change was gradual over the years through the replacement and extension of the chalets, the increase in mobile homes and caravans and an acceptance in policy of the use of the chalets and caravans for weekends and holidays for seven months of the year. The leisure use was regarded as complementary to the countryside location. Even by 2015 the Chalet Estate was a generally tranquil, green and relatively undeveloped

environment with built development blending well with the vegetation and rural surroundings, as described by the Inspector in the 2015 decision.

54. However, by 2018 a number of plots were in use as caravan sites where greenery had been lost to extensive hard surfacing and the main structures were static and/or touring caravans. The trend continued so that by the time of my visit in 2021 the land use character and appearance reflected a greater level of residential use. As indicated by enforcement notices issued in September 2018 much of the development taking place in the last few years has not been authorised. The Parish Council and the settled community see the trend as very detrimental to area character. The aim of Policy RST10A is for the Chalet Estate to continue in recreational use and to resist permanent dwellings and residential use.
55. The site layout for the proposed mixed use positions the static caravans with the shortest side facing the access road, although the accommodation of two 'leisure' statics on the eastern side of the plot reduces the amount of space to the front. Some green space is provided but there is little indication of the site being soft landscaped to echo the leisure character of the estate and more particularly to support the leisure component of the proposed mixed use. The layout demonstrates limited compliance with the design criteria of the SPG. The site layout would not facilitate a primary leisure use of the land (as part of a mixed use), based on the understood meaning of leisure plot applied to the estate. However, I am mindful of the two new larger chalets and plot coverage permitted towards the western end of the estate (Plots 47 and 48). These chalets are conditioned solely for recreational use during the months of April to October inclusive, with storage of domestic items and household effects the remainder of the year.
56. In local views from the footpath network I found that the development on this double plot was not intrusive and did not impinge on views to the edge of Roydon village. The low height of the caravans/mobile homes and the plot enclosure, as with other plots, help to reduce any harmful visual impact.
57. In the wider area the landscape is characterised by gently undulating arable fields within the valley of the River Stort¹¹. The fields are lined with a network of mature hedgerows often with hedgerow trees. Veteran trees contribute to the historic landscape pattern. The large, nucleated village of Roydon is dominant in the settlement pattern. A strong sense of tranquillity is present throughout most of the rural area.
58. The proposal would not encroach into the countryside, change field patterns or other key landscape characteristics. No conflict arises with Policy CP2 in this regard. The effect on the wider landscape character would be minimal and at the hearing the Council accepted that any harm would be localised.
59. To conclude, the proposal would not be in harmony with the character and appearance of the Chalet Estate as it was even as late as 2015 or so. Policy RST10A does not support the change in land use character and appearance, although within that context harm would be moderate. My main concern is that the form of the site layout is not compatible with the mixed use description of the development, which in turn has implications for control of the future use of the development by planning conditions.

¹¹ Landscape Character Assessment January 2010, pages 96-99 C6: Roydon

Flood risk

60. The starting point from national planning policy and guidance is that a highly vulnerable form of development should not be permitted in Flood Zone 3a or 3b. The exception test does not apply. In this case the caravan intended as a permanent residential base is classified as highly vulnerable and the caravans for leisure use fall within the more vulnerable category, subject to a specific warning and evacuation plan.
61. The site-specific flood risk assessment dated 3 August 2017 (the FRA) finds the majority of the site lies in Flood Zone 1, apart from an area for a distance of 5 metres back from the access road which lies in Flood Zone 2. A hazard rating analysis finds no risk within the plot and on the access road during times of flooding. The Council relies on the objection from the Environment Agency on the basis that the proposed development is located entirely within Flood Zone 3a, an inappropriate flood zone for highly vulnerable development.
62. The Framework and Planning Practice Guidance require a FRA for site development proposals. The FRA explained that the only difference with the Environment Agency's base model was the input of the topographic data. No evidence was brought forward by either the Council or the Environment Agency to show the methodology or modelling carried out in the FRA was inaccurate or incorrect. In my view the FRA should provide the more accurate results, being site specific and using up to date topographic survey information. Accordingly, there is no in-principle policy objection to the proposal.
63. On other matters, the FRA predicts that the western and eastern parts of central access road would flood in all events including the 1 in 20 annual probability event. The main route of escape from Plot 25/26 is along the access road and to my mind an element of risk would be present. However, flash flooding is unlikely to occur because of the size of the River Stort catchment at this location, providing time to respond to flood alerts and warnings and to leave the site safely. The FRA reasoned that the development would make little difference to flood risk elsewhere because there are no proposals to modify ground levels and the Chalet Estate is located in an existing developed area. No contrary technical evidence has been produced.
64. To conclude, the proposal complies with Policy U2A and the issue of flood risk is neutral in the planning balance.

Epping Forest Special Area of Conservation

65. The SAC is a large ancient wood pasture with a mosaic of habitats of high nature conservation value. By reason of the international designation, is afforded the highest level of protection through UK legislation and Government policy¹². Much of the SAC is in an unfavourable condition as a result of atmospheric pollution and also recreational pressure.
66. The Council's understanding and approach to development that is likely to have a significant effect on the SAC has evolved considerably, informed by the Appropriate Assessment (AA) for the emerging EFDLP. The Council issued a

¹² The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') set out the provisions and procedures which must be followed to assess the implications of plan and projects on European sites (Regulations 63 and 64).

Position Statement in October 2019 and an Interim Air Pollution Mitigation Strategy in December 2020.

67. The reasons for refusal made no reference to the effect on the SAC but the Council's position was updated to an objection during the appeal process. The Council has now withdrawn this objection, following the financial contribution made by the appellant towards mitigation measures to help avoid adverse impacts of development on the integrity of the SAC. In doing so, the Council drew attention to the number of caravans proposed.

Habitats Regulations Assessment

68. In terms of recreational pressure the appeal site is outside the zone of influence (6.2km) established through research and visitor surveys. In view of the distance of the site from the SAC there is no pathway to affect the designated features and no significant effects are likely.
69. The same conclusion does not apply in respect of vehicle flows and associated air pollution when the development of the site is considered in combination with other plans and projects. An appropriate assessment is necessary to establish whether there would be adverse effects on the integrity of the features of the European site and, if there are, how these could be modified through mitigation.
70. The conservation objective for the SAC is to ensure the integrity of the site¹³ is maintained or restored as appropriate and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features. These are Beech forests on acid soils, Northern Atlantic wet heathland with cross leaved heath, European dry heaths and Stag beetle.
71. The Strategy explains that the growth proposed in the District would be the primary source of atmospheric pollution that would have an adverse effect on the integrity of the SAC. Vehicle flows and queuing traffic on roads bisecting the SAC are key contributors to that atmospheric pollution, related to vehicle emissions including oxides of nitrogen, ammonia and nitrogen deposition. The SAC features are considered sensitive to changes in air quality and serious deleterious effects can occur to habitats and species through changes in species composition of plant communities and associated animal communities, the loss of sensitive species, the promotion of competitive and invasive species.
72. The Strategy sets out a range of strategic and site specific mitigation measures to help avoid adverse impacts of development on the integrity of the SAC. Monitoring and review are integral to the implementation of the Strategy. Funding of elements delivered by the Council and its Partners will be by means of financial contributions secured through planning obligations linked to development proposals.
73. The appellant has not demonstrated through the use of objective and robust evidence within a transport statement or assessment that the proposed development would not give rise to a net increase in average annual daily traffic within the district. Planning permission is required for the use. The little

¹³ There is no definition of site integrity in the Habitats Regulations. The definition that is most commonly used is in Circular 06/2005: '(...) the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified'.

information that there is on the previous leisure use indicates a less active use than the proposed mixed use. Moreover, an aim is to restore the condition of the SAC, not to stop the condition deteriorating further.

74. Natural England has advised, in summary, that air quality should not be considered an impediment to the determination of the application provided that the proposed development is in accordance with the Strategy and mitigation is considered secure and certain to proceed. Costings of the scheme and level of financial contribution required are stated to be matters best addressed by the Council.
75. The proposed use of the small site alone probably would not affect the integrity of the European site, but it would contribute to a cumulative adverse impact together with the other plans and projects. The mitigation secured is in the form of a financial contribution to help fund a package of measures outlined above. The development proposes one static caravan as permanent residential accommodation. The amount of the contribution is the same as the sum sought through the Strategy for one dwelling. The Council has confirmed in writing that the payment will only be used to implement the approved Strategy. The Strategy has been costed and a delivery framework has been developed. There is no evidence to indicate the Strategy will not be progressed and mitigation measures applied.
76. I conclude that the adequate provision has been made for mitigation subject to adequate control on the use of the two static leisure caravans. Only if that control is able to be achieved would the proposal be in accordance with aim of Policy NC1 and comply with Policies DM2 and DM 22 in the emerging EFDLP. These policies have particular relevance because they seek to ensure no adverse effect on the site integrity of SAC from development proposals and address potential effects on biodiversity from air pollution.

Amenity of the settled community and village environment

77. PPTS under Policy H states that sites in rural areas should respect the scale of and not dominate the nearest settled community and avoid placing an undue pressure on local infrastructure.
78. A strong body of objection, supported by the local MP, was demonstrated in written representations, a petition and the case presented in person at the hearing. The objections expressed by the local community, latterly taken forward by the Parish Council, were directed at development on a number of plots at the Chalet Estate rather than this specific double plot¹⁴. Objections included the change in land use, unauthorised activities and use, local flooding and drainage problems, negative effects on local character and amenity (with reference to anti-social behaviour, intimidation, rubbish and bonfires, Roydon Conservation Area and Lee Valley Regional Park), inadequate access and high concentration of the District's traveller sites in Roydon and Nazeing.
79. I have addressed some areas of objection in the main issues above. In terms of precedent, all the appeals considered at the hearing indicate pressure and a personal need for similar development on a number of plots over the Chalet Estate. By reason of the Green Belt location planning policy places strict control

¹⁴ The objections were in response to the notification by the Council of seven planning applications submitted on the same date of 28 February 2017 and the notification covering the various appeals against the enforcement notices.

on development and very special circumstances must exist to justify inappropriate development. Provided that this policy test is met to allow the appeal would not set a precedent.

80. The appellant has owned this plot since around early 2016 and is attempting to regularise the planning position through the appeals following the statutory process. There is no specific evidence to show the appellant or his family have not respected the settled community or that they have been responsible for or involved in any anti-social behaviour.
81. As part of the local plan process, allocation of land within the estate for traveller sites was considered but rejected. Nevertheless, with reference to criteria in the Local Plan and the emerging EFDLP¹⁵, I consider that the site is in reasonable distance of a settlement for access to schools, shops and other services. There is convenient and safe access to public transport services and by vehicle to the main road network via the lane linking the Chalet Estate with the village. On my site visits I assessed visibility at property access points at the southern end of the lane and concluded highway safety would not be compromised. I note that the Council raised no objections regarding accessibility and highway safety.
82. Factors contributing to the character of Roydon Conservation Area include the rural setting and the quiet residential character of the village¹⁶. The change of use of Plots 25 and 26 would not impact on these two factors because of its location within the Chalet Estate, the separation distance from the village and the small scale of the development. Increases in traffic movements would be small when placed in the wider picture.
83. The access road linking the Chalet Estate with the village is not within the Conservation Area. At the time of the planning application interested parties objected to the increased use of the then unmade track. The Character Appraisal for Roydon Conservation Area noted that the potholed gravel surfaced road on the eastern side of the Village Green (at the southern end of the access road) would benefit from being repaired or even resurfaced using an appropriate material. The resurfacing of the access road carried out by residents of the Chalet Estate is not objectional from purely a planning point of view. The objection from the Parish Council also raises a separate matter directed at the lack of responsibility or authorisation to do the work. This is not a relevant planning consideration.
84. In conclusion, the small scale, mixed use development would not dominate the local settled community or harm the character of the village. The contribution to the effects of cumulative change also would be minor.

Intentional Unauthorised Development

85. The Government policy on intentional unauthorised development was confirmed by a Written Ministerial Statement in December 2015 and remained in place after the publication of the Framework. The policy was in response to concern about the harm caused, particularly in the Green Belt, where development is undertaken in advance of obtaining planning permission. In such cases there is no opportunity to appropriately limit or mitigate harm that

¹⁵ Part B criteria (ii) and (iii) of Policy H 4 Traveller Site Development in the emerging EFDLP

¹⁶ Roydon Conservation Area Character Appraisal September 2006 paragraph 3.2

may be caused and a planning authority may have to undertake expensive and time-consuming enforcement action.

86. As a matter of fact development occurred before authorised by a planning permission and before a planning application was made. A Council officer observed caravans and hardstanding on the site in November 2016. The Council advised of the need for planning permission and requested an application be made by 1 March 2017 otherwise enforcement action would be taken. A planning application was submitted on 28 February 2017. The supporting statement to the application acknowledged that permission was required for the permanent base but understood permission was not required for the caravans for leisure use. The appellant's family had previous involvement with the planning system in relation to Plot 38.
87. The balance of the evidence is that the appellant carried out development in the knowledge that planning permission was required. Harm has been caused to the Green Belt. The opportunity to guide details of the site layout, hard and soft landscaping was lost. The unauthorised nature of the development probably contributed to the friction with the local community. However, advice may not have been clear over what use could take place without planning permission. The appellant was attempting to resolve the personal need for a site close to his family when no pitch was available in the wider area. Unauthorised roadside camping may have been avoided. An attempt was made to regularise the development following due process after receipt of clear advice from the Council and again in response to the enforcement notice.
88. In conclusion intentional unauthorised development occurred, a consideration to which I attach a small degree of weight.

Need and supply of traveller sites

89. There is a generally accepted national need for more traveller sites. The level of need will vary between regions and at district or local authority level. The Framework expects that the housing needs for different groups in the community should be reflected in planning policies. PPTS sets out how travellers' housing needs should be provided for in plan-making for those covered by the definition in Annex 1. Local planning authorities should make their own assessments of need and working collaboratively should develop fair and effective strategies to meet need through the identification of land for sites. More specifically local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets.
90. The development plan does not identify land for sites and Policy H10A is confined to setting out the tests to apply when determining applications for gypsy caravan sites within the Green Belt. The policy wording indicates the expectation that sites will come forward and be located in the Green Belt, rather than elsewhere in the District. Nevertheless, provision of sufficient traveller accommodation has not been secured and an objective in Policy CP1 (ii) has not been achieved. The Council accepts that it does not have a 5 year supply of deliverable sites at the current time. Providing for identified need will be through the EFDLP.
91. The emerging EFDLP sets out the components of the traveller and travelling showpeople requirement over the period 2011-2033. I will refer only to the

traveller requirements. Based on the 2016 Gypsy and Traveller Accommodation Assessment and update (the GTAA) 64 pitches are required. Taking account of the completed new pitches coming forward between 2011 and 2017 the remaining requirement is 32 pitches, not including provision for known ethnic traveller households who do not meet the planning definition¹⁷.

92. In the emerging EFDLP Policy SP 2 provides for an additional 38 pitches through the allocation of sites, which are to be delivered through a sequential approach. Policy SP 5 requires land to be provided for 15 traveller pitches at the proposed Garden Town Communities and another 23 pitches on various site allocations. Policy H 4 confirms the provision of pitches as part of strategic allocations and sets out criteria for determining applications for the development of pitches elsewhere.
93. The proposed Main Modifications includes minor updates to Table 2.4, whereby the remaining requirement is reduced to 31 pitches. The wording of Policy H 4 is subject to changes through the Additional Main Modifications but the fundamental provisions and criteria are not changed.
94. In the examination of the EFDLP to date the Inspector has not questioned the evidence base of the GTAA or the strategic and sequential approach to traveller site provision. The appellant has included in the appeal documents a copy of a letter submitted through the 2021 consultation on the Main Modifications arguing that the pitch assessment is out of date and based on a methodology that has been found not to be robust.
95. It would not be appropriate in these appeal decisions to conclude in any detail on matters that are being considered through the examination of the EFDLP. It is clear however, that currently there is an unmet need for sites in the District. Based on the GTAA, which is the best available evidence, over 30 additional pitches are required in the next 10 years for gypsies and travellers who have PPTS status. The GTAA also recognised that need from households that may not have PPTS status (the unknowns) could range from 4 to 41 pitches.
96. The Council confirmed at the hearing that the requirement of 64 pitches included 'new' need from unauthorised sites, including pitches on the Chalet Estate¹⁸. However, I note that the identified unauthorised sites contributing to this total do not include all the pitches at issue in the current appeals and it appears that the GTAA was not informed by interviews with any of the residents of the Chalet Estate. To that extent there is probably an underestimate of need.
97. Supply of sites will be through strategic allocations and windfalls. The updated trajectory has moved forward the provision of 5 pitches at Latton Priory to the 2019-2023 time period and those in the Water Lane Area and East of Harlow to the 2024 to 2028 time period. At the hearing the Council explained why in its view the updated trajectory for delivery of pitches is not over-optimistic, referring to increased confidence of developers to bring strategic housing sites forward as the EFDLP nears adoption. Nevertheless, details on a number of matters, including phasing, have yet to be submitted and resolved and in the

¹⁷ Table 2.4 in the Submission Version of the EFDLP December 2017. The figure of 64 includes 4 pitches that is equal to 10% of the estimated need from the 'unknowns' in respect of the PPTS definition.

¹⁸ Hearing Document 4

absence of more specific evidence considerable uncertainty remains over the timing of delivery of these pitches.

98. Over the last five years or so private site provision has been an important source of additional pitches. The wording of Policy H10A recognises that traveller sites that come forward are likely to be within located in the Green Belt not least because of a very high proportion (92%) of the District is Green Belt land. The appellant has drawn attention to gypsy sites that have received permission over the last five years or so, such as 3 pitches at Willingale. The shortfall of available sites and the relatively high level of need were important factors weighing in favour of a grant of permission. The EFDLP too relies on windfall private sites (including those already delivered) to make up the supply of pitches to meet the identified requirement to 2033. Some of the proposed allocations are on Green Belt land.
99. The appellant also relied on the failure to deliver adequate sites for Gypsies and Travellers in Epping Forest District over a prolonged period of time, against a background of Government policy setting out how the likely need for permanent and transit-site accommodation should be addressed in plan-making.
100. In the District the development plan made no site allocations and reliance has been on private site provision to help in catering for increasing accommodation needs. The Submission Version of the EFDLP dates back to 2017, although work commenced 2010/2011. The time taken to progress the plan towards adoption has been increased by the essential work on the SAC, during which time there was a moratorium on new residential development. The lack of site allocations is reflected to an extent in the existing level of need and the lack of available alternative sites for those travellers on unauthorised sites. The 'failure of policy' argument now has only a small degree of weight given the Council's commitments to move forward through the EFDLP.
101. In addition to general need and with reference to the PPTS, the availability (or lack) of alternative accommodation for the applicants is a relevant consideration. The Council was not able to help in suggesting an alternative acceptable, affordable and available site(s) for the occupier to move to if the appeal is not successful. The appellant did not explain what efforts have been made to look for an alternative site following the service of the enforcement notice as a means of supporting his case. However, there is no requirement in planning policy, or case law, for an applicant to prove that no other sites are available or that particular needs could not be met from another site. There is no obligation on a local authority to provide a site. The probability is that finding a suitable alternative pitch would be difficult bearing in mind the site search undertaken by the Council as part of the local plan process, the extent of Green Belt in the District and the wider shortfall in traveller site provision.
102. In conclusion, the challenging order of need, the absence of a supply of five years' worth of sites and the lack of a suitable alternative pitch provide considerable weight in support of the development.

Personal circumstances

103. The permanent base is occupied by Mr Doherty who has lived on the estate with his parents and siblings since 2008 and whose extended family reside on plots nearby. His parents' pitch is too small to accommodate his need for his

own caravan. Mr Doherty travels for work throughout the year and the touring caravan is needed for this purpose. He has PPTS status. No specific health needs are identified or details of any particular family interests that should be safeguarded. The other two statics are for other family members to stay during the holidays and who have homes elsewhere.

104. The proposal facilitates Mr Doherty's way of life as a traveller and may be expected to strengthen family bonds and contact. The benefits of health and other support services are accessible and enable improvement to the quality of life. No available alternative pitch has been identified to meet a personal need for a pitch. The personal circumstances provide moderate weight in support of the development.

Planning conditions

105. Planning Practice Guidance advises that when used properly, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. Conditions should only be used where they satisfy the following six tests: necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. At the hearing the discussion flagged up that planning conditions would have to address the proposed mixed use. The appellant accepted that a condition would be acceptable requiring the two static caravans to be occupied no more than seven months of the year.
106. Consideration of conditions highlights the tension between the mixed use description of the development, the ability to have conditions that meet all six tests and the conclusions of the Council on the description of the actual use taking place and proposed, with which I generally agree. In particular I have concluded that a use of land for leisure/recreation purposes on the Chalet Estate does not include use of a caravan for holiday accommodation, where visitors stay. A planning permission would authorise a mixed use as leisure plot with 2 caravans, sheds, cess pit and associated hard standing and third static caravan for residential occupation by traveller family with storage of a touring caravan. A condition that negated the benefit of the permission would not be reasonable. Similarly, conditions could not be imposed that did not relate to the development, such as controlling the use of the two static caravans as holiday accommodation.
107. Typical wording of a condition applied to chalets or caravans on the Chalet Estate is set out in the SPG in that the use approved shall be solely for recreational purposes during the months of April to October inclusive, no use at any time for permanent residential accommodation and during the months of November to March inclusive use solely for the storage of domestic items and household effects.
108. This type of condition probably adequately addressed the proposed use of small chalets or touring-sized caravans when the plots were predominantly open green spaces and gardens, some 10 to 20 years ago. A similarly worded condition could be imposed on the two statics on Plot 25/26 and it would be consistent with the description of the development. However, the proposed use of the caravans as holiday accommodation would not comply. Enforcing such a condition in the future could be difficult on account of the information provided as part of the planning application. Conversely to restrict the use of the two

caravans to holiday accommodation for 7 months of the year would not be consistent with the mixed use leisure plot description and potentially could be considered unreasonable.

109. A further concern is the site layout plan, which provides little indication of a mixed leisure residential use of the land. A condition requiring a landscape scheme could be imposed but the application details rely on the use of the caravans as the leisure element, not use of outdoor space.
110. In summary, the use of planning conditions that comply with the six tests would not effectively control or reflect the mixed use development proposed and described. That being so the contribution towards mitigating effects on the SAC is called into question. An alternative solution would be to come forward with an increased contribution towards mitigation measures or to reconsider the mixed use description of the proposal. The appellant has not made a case that the proposal, in combination, would not lead to adverse effects on integrity. This issue weighs strongly and decisively against the grant of permission.

Planning balance

111. Balanced against the development, the harm to the Green Belt by reason of inappropriateness has substantial weight. The loss of openness, the identified harm to the character and appearance of the Chalet Estate, the matters of intentional unauthorised development and contribution to cumulative change each contribute small amounts of negative weight. I am unable to conclude that the development would not have an adverse effect on the site integrity of the SAC because of the lack of effective control on the use of the caravans and the land by planning condition. This matter has very substantial weight.
112. The effects on the wider landscape character, the settled community and village environment and the issue of flood risk are neither in favour nor against the development.
113. In support of the development, the various aspects of need and supply of deliverable sites have considerable weight, taking account of the acknowledged national, regional and local need for additional traveller pitches. The failure of policy argument adds very little additional weight. The personal family circumstances have moderate weight.
114. The potential harm to the Green Belt by reason of inappropriateness and the additional identified harm is not clearly outweighed by other considerations. Very special circumstances do not exist to justify the development. The development fails to comply with Policy H10A, Policy GB2A and Policy NC1. Conflicts also exist with Policy RST10A and Policy CP1. Notwithstanding the compliance found with Policies CP2, GB7A and U2A the change of use is not in accordance with the development plan when read as a whole.
115. The conflicts with national policy on protecting the Green Belt, an internationally designated site, securing good design and ensuring sites are well planned to enhance the environment and promote a safe place to live provide a strong reason for following the direction of the development plan. The development is not acceptable on a permanent basis.

Temporary Planning Permission, Alternatives

116. Planning permission may be granted for a temporary period, for example where it is expected that circumstances will change in a particular way at the end of that period. Furthermore, where there would be an interference with an individual's rights the interference should no more than is necessary and be proportionate. The length of a possible temporary period was discussed at the hearing, the Council arguing for two years and the appellant for five years, having regard to the potential provision of sites through the strategic site allocations in the EFDLP. In my view a period of four years should be allowed because of the uncertainty over when allocated sites would be delivered – the probability is that Council's timescale is over-optimistic.
117. The weights attached to various harms and considerations in the planning balance need to be adjusted to take account of the use over a time-limited period. However, the totality of the identified harm is not clearly outweighed by other considerations. As a decisive factor the development would not be effectively controlled through planning conditions. Very special circumstances do not exist. The development plan, supported by national policy considerations, directs that the development is unacceptable.
118. As an alternative to dismissing the appeal I have considered whether it would be possible to grant permission for a single caravan and pitch – the permanent base element of the mixed use. However, the proposal is for a mixed use and the two elements are not clearly severable physically and functionally, taking account of the site layout, means of access and associated development. The submission of a fresh application would be the more appropriate means of establishing whether alternative proposals for the site are acceptable.
119. The dismissal of the appeal would be a serious interference with Mr Doherty's rights because of the potential loss of a home base and disruption to family life. The interference with the rights of family members visiting the site would be considerably less because they have permanent homes elsewhere. The public interest centres on the regulation of land use to protect the environment. My conclusion that dismissal is necessary and proportionate. No violation of the appellant's rights would result.

Conclusion

120. For the reasons given above the appeal should be dismissed.

DECISIONS

Appeal A Ref: APP/J1535/C/18/3215169

121. The enforcement notice is quashed.

Appeal B Ref: APP/J1535/W/18/3204593

122. The appeal is dismissed.

Diane Lewis

Inspector

APPEARANCES

FOR THE APPELLANT:

Alison Heine BSc MSc MRTPI	Heine Planning Consultancy
Anna Price	An Appellant
Christopher Moran	An Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Phillip Hughes BA Hons MRTPI MCMI	Principal PHD Chartered Town Planners
Mark Beard of Counsel	Instructed by the local planning authority

FOR ROYDON PARISH COUNCIL:

Angelica Rokad of Counsel
Kathryn Claydon

INTERESTED PERSONS:

Canon Anthea Cannell
Councillor Mary Sartin
Vince Parker
Wayne Matthews

DOCUMENTS submitted at the hearing

- 1 Proposed corrections to the enforcement notices
- 2 Draft Deed of Unilateral Undertaking
- 3 Letter of consent
- 4 Document EB402A Tables 1 and 2
- 5 Letter dated 14 December 2016
- 6 Proposed planning conditions
- 7 Representation by Rt Hon Robert Halfron MP
- 8 Roydon Conservation Area Appraisal
- 9 Revised list of planning conditions
- 10 Planning history of plots

ROYDON LODGE CHALET ESTATE APPEALS: SUMMARY OF DECISIONS

Plot number	Appeal refs	Decision Enforcement appeal	Decision s78 appeal
1B	C/18/3215158 W/18/3204576	Appeal allowed, enforcement notice corrected and quashed, temporary planning permission granted	Appeal allowed, temporary planning permission granted
5 & 6	C/18/3215159, C/18/3215160 W/18/3204582	Appeals allowed, enforcement notice corrected and quashed, temporary planning permissions granted	Appeal allowed, temporary planning permission granted
7	C/18/3215161	Appeal dismissed, enforcement notice as corrected and varied upheld	
8, 9 & 10	C/18/3215162, C/18/3215163 W/18/3204586	Temporary planning permission granted for part of the land, enforcement as corrected and varied upheld	Appeal dismissed
11	C/18/3215164	Appeal dismissed, enforcement notice as corrected and varied upheld	
21A	C/18/3215165, 3215166, 3215167 W/18/3204590	Appeals allowed, enforcement notice as corrected quashed, planning permissions granted	Appeal allowed, planning permission granted
25 & 26	C/18/3215169 W/18/3204593	Enforcement notice quashed	Appeal dismissed
29	C/18/3215171	Appeal allowed, enforcement notice as corrected quashed, temporary planning permission granted	
30 30A	C/18/3215172	Enforcement notice quashed	
32	C/18/3215174	Appeal allowed, enforcement notice as corrected quashed, temporary planning permission granted	

32B 32C	C/18/3215175 C/18/3215176 W/18/3204595	Enforcement notice quashed	Appeal allowed, temporary planning permission granted
33 & 34	C/18/3215177	Enforcement notice quashed	
38	W/19/3222126		Appeal allowed, planning permission granted
49	C/18/3215178 C/18/3215179 W/18/3204596	Appeals allowed, enforcement notice as corrected quashed and temporary planning permissions granted	Appeal allowed, temporary planning permission granted

Note: This summary is for information only and reference should be made to the Appeal Decision(s) for details.