



Appeal Decisions

Inquiry held on 8-9, 16-17, 22, 23 & 24 November 2022

Site visit made on 18 November 2022

by Lesley Coffey BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal A Ref: APP/J0405/W/22/3295746

Plot 20A, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Michael Doran against the decision of Buckinghamshire Council.
 - The application Ref 21/04448/APP, dated 16 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal B Ref: APP/J0405/W/22/3295747

Plot 1, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Jason William Doe against the decision of Buckinghamshire Council.
 - The application Ref 21/04450/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 5no. Static Caravans.
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Appeal C Ref: APP/J0405/W/22/3295748

Plot 1A, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Jason William Doe against the decision of Buckinghamshire Council.
 - The application Ref 21/04458/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 3no. Static Caravans.
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Appeal D Ref: APP/J0405/W/22/3295749

Plot 2, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Ms Bridget Doherty against the decision of Buckinghamshire Council.
 - The application Ref 21/04451/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 5no. Static Caravans.
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Appeal E Ref: APP/J0405/W/22/3295750

Plot 3, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Michael David Doran against the decision of Buckinghamshire Council.
 - The application Ref 21/04452/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal F Ref: APP/J0405/W/22/3295751

Plot 4, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 David Winter against the decision of Buckinghamshire Council.
 - The application Ref 21/04453/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 3no. Static Caravans.
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Appeal G Ref: APP/J0405/W/22/3295752

Plot 5, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Roy Foster against the decision of Buckinghamshire Council.
 - The application Ref 21/04454/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 5no. Static Caravans.
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Appeal H Ref: APP/J0405/W/22/3295753

Plot 6, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Ms Maureen Stokes against the decision of Buckinghamshire Council.
 - The application Ref 21/04455/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 3no. Static Caravans.
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Appeal I Ref: APP/J0405/W/22/3295754

Plot 07, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Bernard Paul McDonagh against the decision of Buckinghamshire Council.
 - The application Ref 21/04456/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal J Ref: APP/J0405/W/22/3295755

Plot 08, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Stokes and Mr Michael Francis Maughan against the decision of Buckinghamshire Council.
 - The application Ref 21/04457/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 3no. Static Caravans.
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Appeal K Ref: APP/J0405/W/22/3295756

Plot 9, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Michael Horace Gaskin against the decision of Buckinghamshire Council.
 - The application Ref 21/04437/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 5no. Static Caravans.
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Appeal L Ref: APP/J0405/W/22/3295757

Plot 10, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Ambrose Smith against the decision of Buckinghamshire Council.
 - The application Ref 21/04438/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 5no. Static Caravans.
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Appeal M Ref: APP/J0405/W/22/3295758

Plot 11, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Mrs Nora Casey against the decision of Buckinghamshire Council.
 - The application Ref 21/04439/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal N Ref: APP/J0405/W/22/3295759

Plot 12, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Noel France Devlin against the decision of Buckinghamshire Council.
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- The application Ref 21/04440APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4 no. Static Caravans.
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Appeal O Ref: APP/J0405/W/22/3295760

Plot 14, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Charlie Ward against the decision of Buckinghamshire Council.
 - The application Ref 21/04441/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal P Ref: APP/J0405/W/22/3295761

Plot 15, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Patrick Connors against the decision of Buckinghamshire Council.
 - The application Ref 21/04442/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal Q Ref: APP/J0405/W/22/3295762

Plot 16, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Cash against the decision of Buckinghamshire Council.
 - The application Ref 21/04443/APP, dated 16 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4 no. Static Caravans.
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Appeal R Ref: APP/J0405/W/22/3295763

Plot 17, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Ms Elizabeth McCann against the decision of Buckinghamshire Council.
 - The application Ref 21/04444/APP, dated 16 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal S Ref: APP/J0405/W/22/3295764

Plot 18, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

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- The appeal is made by Mr John McDonagh against the decision of Buckinghamshire Council.
 - The application Ref 21/04445/APP, dated 16 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Appeal T Ref: APP/J0405/W/22/3295765

Plot 19, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Ms Marie Doran against the decision of Buckinghamshire Council.
 - The application Ref 21/04446/APP, dated 16 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4 no. Static Caravans.
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Appeal U Ref: APP/J0405/W/22/3295766

Plot 20, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

- 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 Michael Doran against the decision of Buckinghamshire Council.
 - The application Ref 21/04447/APP, dated 12 November 2021, was refused by notice dated 17 March 2022.
 - The development proposed is Retention of 4no. Static Caravans.
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Decisions

1. All the appeals are allowed and planning permission is granted, subject to conditions. The formal decisions are set out in the attached schedule.

Preliminary Matters

2. There are 21 appeals, each relating to a different Plot. Although the main issues below are common to each Plot, the individual proposals vary in terms of their relationship to the surrounding area, neighbouring Plots, the number of caravans proposed and the personal circumstances of the residents of individual Plots.
3. It would seem that many of these Plots are no longer occupied by the appellants. In addition to a joint Proof of Evidence, individual statements on behalf of the residents of each plot were submitted to the Inquiry. These were supplemented with additional supporting information shortly before the Inquiry opened. With the exception of Plot 2, Plot 4 and Plot 9, a representative of the residents of each plot provided evidence to the Inquiry in relation to personal circumstances and other matters in relation to their respective plots. In most cases this oral evidence did not accord with the written statements which contained significant errors. I therefore rely on the oral evidence to the Inquiry

and the supporting documentation in relation to these plots in preference to the written statements.

4. In terms of Plots 2, 4 and 9 updated statements were submitted during the Inquiry. I was advised that since the occupants of these Plots were away travelling, the interviews had been conducted by way of telephone. Whilst I have taken these updated statements into account, given the very significant errors in relation to the other statements, I am unable to give them full weight.
5. The appellants submitted a revised Master Plan as Appendix 3 with Mr Wood's rebuttal proof of evidence.¹ This shows 28 touring caravans parked adjacent to the access road. The plan was submitted for illustrative purposes only and I have taken it into account accordingly.
6. During the Inquiry a further plan was submitted, correcting the Plot numbers shown on Plan 853/01 within Mr Draffin's Proof of Evidence. The parties confirmed that these Plot numbers were correct and accorded with the Plans submitted with the individual applications.
7. The Council confirmed by letter dated 10 November 2022 that it was content that the matter of drinking water and foul drainage could be dealt with by way of a suitably worded condition and that it no longer pursued this reason for refusal. I share this view and I have considered the appeals accordingly.
8. A draft Statement of Common Ground was submitted by the parties. It was originally prepared in advance of the Lisa Smith Judgement and was subsequently updated during the course of the Inquiry.² The final iteration was submitted on the shortly before closing submissions. The appellants disagreed with part of paragraph 3.30 and the 12th bullet point of paragraph 4.1. of the final version. The parties were unable to reach agreement as to how it should be amended. I have therefore taken the most recent draft version (ID29) in to account other than in respect of these matters.
9. In this decision letter references to the 'Site' refers to the wider site comprising all 21 Plots.

Background

10. Sunset Park has an extensive planning history. The parties agree that:

- By virtue of 13/03099/APP (permitted in January 2014), Plots 01 and 01A have a permitted use for a maximum of 2 caravans per plot, comprising 1 static/mobile home and 1 touring caravan, and occupation of these plots is restricted to persons that are Gypsies and travellers as defined in the Planning Policy for Traveller Sites 2012.
- By virtue of 06/00699/APP, Plots 2-10 have a permitted use for a maximum of 2 caravans per plot, comprising 1 static/mobile home and 1 touring

¹ J004023-DD Rev A

² *Lisa Smith -v- The Secretary of State for Housing, Communities and Local Government and Others* [2021] EWHC 1650 (Admin) 17 June 2021

caravan, and occupation of these plots is restricted to persons defined as Gypsies in Section 24(8) of the Caravan Sites and Control Development Act 1960 or any Act revoking or re-enacting that Act.

- By virtue of 15/03749/APP³, Plots 11-19 (comprising eight plots as there is no plot 13) have a permitted use for a maximum of 3 caravans per plot, comprising no more than 1 static caravan/ mobile home and 2 touring caravans, and occupation of these plots is restricted to persons that are Gypsies and travellers as defined in the Planning Policy for Traveller Sites (DCLG March 2015).
- By virtue of 15/03776/APP⁴, Plots 20 and 20A have a permitted use for a maximum of 2 caravans per plot, comprising 1 static/mobile home and 1 touring caravan, and occupation of these plots is restricted to persons that are Gypsies and travellers as defined in the Planning Policy for Traveller Sites (DCLG March 2015).

11. The planning decisions for applications references 15/03749/APP and 15/03776/APP, both refer to the DCLG definition of March 2015. However, there was not a March 2015 version of Planning Policy for Traveller Sites (PPTS) published in March 2015, and therefore it is not clear what this refers to. The revised definition in the August 2015 version of PPTS would have been in place before these applications were submitted and determined. It is therefore probable that it was intended to refer to the August 2015 definition, but that is not what the condition states.
12. In total, the appeal sites have a permitted use for a total of 21 static caravans/ mobile homes, one on each of the 21 plots at the Sunset Park Homes site, and a maximum of 28 touring caravans. Occupation of each plot is restricted to Gypsies and Travellers, however the definition varies according to the dates on which permissions were granted, as set out above.
13. The proposal is to increase the number of static caravans to a total of 85 in accordance with the individual planning appeals. The proposals do not make provision for touring caravans on any of the Plots, however, as referred to above, the appellant has submitted a plan suggesting how a number of touring caravans could be accommodated on the access road.
14. The proposed use of the individual Plots has commenced. With the exception of Plot 2, 4 and 9 the plots are currently occupied by the number of caravans proposed. High Court injunctive action has been taken by the Council, and the final injunction hearing is set for February 2023. The appeal site was previously occupied by 146 caravans. Many of these have been removed and I have assessed these appeals on the basis of the submitted applications rather than the manner in which the Plots were previously occupied.

³ Application submitted in November 2015, permitted in July 2016

⁴ Application submitted in November 2015, permitted in July 2016

15. There is an extant enforcement notice from 2009 in relation to the access to the access to Plots 1 and 1A.⁵

Main Issues

16. I consider the main issues to be:

- Whether the proposed increase in the number of caravans, including any cumulative effects, is acceptable having regard to the location of the site within the countryside and the proximity to services and facilities in the surrounding area.
- The effect of the proposals, including any cumulative effects, on the character and appearance of the surrounding countryside.
- Whether the proposed site would provide suitable living conditions for future occupants with particular regard to amenity space and privacy.
- Whether in the absence of any provision for touring caravans the proposed site would be suitable for Gypsies and Travellers.
- The need for and supply of Gypsy and Traveller sites within Buckinghamshire, including whether there is a five year supply of Gypsy and Traveller sites.
- The availability of alternative sites;
- The accommodation needs and personal circumstances of the appellants.
- The Gypsy and Traveller status of the occupants of the site.

Reasons

17. The development plan for the area includes the Vale of Aylesbury Local Plan adopted September 2021 (VALP). The principle of the use of these sites as Gypsy and Traveller sites has been established by the extant planning permissions. The sites are currently occupied by 85 static caravans, and the appellant states that all those who do not benefit from Gypsy and Traveller have left the site.

The proximity of the appeal site to services and facilities in the surrounding area

18. The two most important policies for the location of Gypsy and Traveller sites are Policies S6 and D11 of the VALP. Policy S6 of the VALP allocates the site for 10 pitches in addition to the 11 that were lawful at the time of the Gypsy and Traveller Accommodation Assessment (GTAA). Policy D11 of the VALP sets out a criteria-based approach to assess any applications for new sites or for expanding current sites within Aylesbury Vale. Amongst other matters it aims to ensure that sites have reasonable access to existing local services and

⁵ LPA Ref EN 14/2009

facilities (including shops, schools, healthcare and public transport). It also states that sites should either be within or close to existing sustainable settlements or with good access to classified roads and/or public transport.

19. Policy S2 sets out the spatial strategy for growth and seeks to direct growth to the more sustainable locations within the District. Policy S3 VALP identifies the settlement hierarchy for the Aylesbury Vale area and excludes sites in the countryside away from any settlements as suitable locations for growth.
20. The VALP identifies Whitchurch as one of the larger, more sustainable villages that have at least reasonable access to facilities and services and public transport, making them sustainable locations for development. It is located about 1.6Km (1 mile) from the Site, and facilities are limited to the Public House and Church. Syresham is located about 5.7 Km (3.5 miles) away and benefits from a village hall, a Primary School and a village shop.
21. Whilst there is some difference between the parties in relation to the distance from various facilities and services, they broadly agree that Brackley (within the neighbouring authority of Northamptonshire) is located 6.5 km (4.0 miles / 7 minutes by private car) and is capable of providing a range of day-to-day facilities to meet the needs of residential occupiers. Some facilities, such as the medical centre, Doctor's surgery, supermarket and primary schools are about 6.5 km (3 miles) away.
22. Whitfield Road is a narrow country lane with no pavements or street lighting. At the time of my visit, I noted that the road is lightly trafficked and due to its narrow width, vehicles tended to proceed with caution and at speeds well below the permitted speed of 60 mph. Residents of the Site stated that they sometimes walked to Whitfield. Bus services are available from the bus stops on the A43 at Whitfield, a little over a mile from the Site. However, due to the nature of the journey I consider that it is probable that most people would use their car to access facilities within Whitfield and the bus services on the A43.
23. The services in Brackley and Syresham are further from the appeal site. Whilst the Site is within reasonable cycling distance of both settlements, I agree with my colleague who determined the appeal in respect of the adjoining site, that cycling along the A43 would not be particularly pleasant due to the speed and volume of traffic.⁶ I therefore conclude that occupants of the Site would be reliant on the use of private motor vehicles for most of their journeys.
24. The nearest settlement with a range of facilities is Brackley. The Council's evidence implied that Brackley was not a particularly sustainable settlement. Whilst it does not benefit from a train station, it has a population of over 16,000, and facilities include two large supermarkets/petrol stations, as well as schools, a community hospital and other medical facilities. I consider it to be a highly sustainable settlement.

⁶ APP/J0405/W/21/3266711

25. Occupants of the site told the Inquiry that they used the Public House and Church in Whitfield and the shop and village hall in Syresham. They also explained that they generally used on-line shopping for their main supermarket shop and sometimes walked to the Public House in order to avoid drink driving. Although none of the children on the site currently attend school, a number have submitted applications to local schools and some have recently received offers of school places. In addition, there are a number of pre-school children on the site overall and it is probable that these children will also attend local schools once they reach school age. I acknowledge that one of the children resident on the site received an offer of a school place in Buckingham, about 7 miles from the appeal site. This is a reflection of the availability of school places within the necessary year group rather than the locational sustainability of the appeal Site.
26. The opportunities to use sustainable transport modes are limited. Although residents sometimes walk to Whitfield, and this would also be an option for older teenagers wishing to use bus services, most trips would be by private vehicle. Taken together, Whitfield, Syresham and Brackley provide a reasonable range of facilities, including a community hospital and supermarkets. Most journeys are likely to be short. Whilst longer trips may be necessary for some hospital and other services, such journeys are likely to be infrequent for most residents of the site. The proposals would comply with criterion a) of policy D11 of the VALP in that it has reasonable access to a range of facilities, and good access to the highway network.
27. The Aylesbury Vale Gypsy, Traveller and Travelling Showpeople Site Assessment (published July 2016) found the Site to have poor sustainability credentials and the Council stated that it fell into the lowest category of preferred or optimum locations for Gypsy and Traveller sites for this reason. However, the justification within the Assessment for resisting further growth beyond the 21 pitches was that it was larger than would normally be accepted, rather than its sustainability credentials. The VALP Inspector's Report makes no reference to the sustainability credentials of the Site. Although the Council states that the Site came within the lowest category of preferred optimum locations for Gypsy and Traveller sites it was unable to explain how many categories there were, what they represented, or the factors taken into account when categorising sites.
28. At the present time the Site has permission for 50 caravans (21 static and 29 tourers). The proposals would increase the overall number of caravans to 85 all of which would be static caravans, and based on the evidence submitted to the Inquiry, occupied by separate households. Individually the appellants seek permission to station between 3 and 5 caravans per Plot, whereas the extant permissions permit between 2 and 3 caravans per Plot. Even on the Plots where the appellants seek permission for 5 caravans there would be at most 4 additional households per Plot.
29. The Council accept that although the extant permissions limit the number of static caravans on each Plot, the touring caravans could potentially be occupied

by a separate household. However, even if every touring caravan were to be so occupied, there would remain an increase of about 35 households resident on the Site, by comparison with those previously permitted.

30. I consider that when assessed individually, even the Plots with the greatest increase in caravans would not significantly increase the use of private motor vehicles using the overall Site. Although the Council does not suggest that even taken together the proposals would have an adverse impact on road capacity or congestion, there would nevertheless be a significantly greater number of households reliant on the use of private motor vehicles for the majority of their journeys. This increase would be mitigated to some extent by the fact that many of the occupants of the Site travel for work, and also that individual Plots are occupied by family groups. In many cases members of the wider extended family occupy other Plots providing an opportunity for shared car journeys.
31. PPTS, in accepting that many sites will be in rural areas, recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. The Framework takes a similar approach and also acknowledges that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
32. There would also be some benefit arising from the provision of a settled base for up to 85 traveller families. This would promote access to health services; ensure that children can attend school on a regular basis; reduce the need for long-distance travelling and possible environmental damage caused by unauthorised encampments; and allow some to live and work from the same location.
33. Overall, I conclude that although occupants of the Site are likely to be reliant on the use of private motor vehicles, they do have reasonable access to a wide range of facilities within a short travelling distance. The Site also benefits from good access to the highway network. Therefore, although there would be a significant increase in vehicular movements to and from the Site I find that the proposals would comply with Policy D11a) and paragraph 13 of PPTS.

The effect of the proposal, including any cumulative effects, on the character and appearance of the surrounding countryside.

34. Policy D11 d) states that proposals for the expansion of Gypsy and Traveller sites should not have a significantly adverse impact on a range of environmental assets including the countryside. Policy NE4 requires development to recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. It sets out a range of criteria that it expects development to meet and states that development will be supported where appropriate mitigation to overcome any adverse impact to the character of the receiving landscape has been agreed. Policy NE4 is consistent with the Framework in that it seeks the recognise the intrinsic character and beauty of the countryside.

35. The site lies to the South of Whitfield Road within the countryside. Whitfield Road is a narrow road with a strong rural character with some sporadic housing on the south side close to the appeal site. It is enclosed by trees and hedgerows such that views over the adjacent countryside are strictly limited. A short distance to the east of the Site this gives way to lower hedgerows with more extensive views across the agricultural landscape, including more distant views of farm buildings.
36. The parties agree that views of the Site are limited to a short stretch of Whitfield Road. From the north east these comprise views of the hardstanding/access to Plots 1 and 1A and to a lesser extent the caravans on Plot 2 that are located closest to Whitfield Road. The views are limited by the trees and hedgerow to the boundary of Plot 2 and by the sharp bend in the road at the entrance to the Site. In the opposite direction the main view is of the entrance to the Site, with a glimpse of Plot 5 when immediately opposite the entrance. Once past the entrance there are views of Plot 1A and Plot 1, although these views are separated from the rest of the site by the trees and hedgerow to the boundary of Plot 2.
37. The Site is separated from Turweston aerodrome by a landscaped bund planted with trees. As a consequence, there are no views of the Site from within the aerodrome, including from the café on the first floor of the control tower.
38. To the east the site is adjoined by a poultry farm and a derelict building from which it is separated by vegetation. The parties agree that there are no views of the Site from public footpaths or bridleways within the vicinity. Immediately to the West there is a further traveller site for two pitches foot was recently approved at appeal.⁷
39. The baseline for assessing the impact of the appeal proposals on the character appearance of the surrounding countryside is the extant planning consents for 21 static caravans and 28 touring caravans. Planning permission for the subdivision of Plot 1 to form Plot 1 and Plot 1A was granted in January 2014, however, the access to both Plots was from the internal access road. Based on the limited information submitted to the Inquiry the proposal included a wooden fence with hedgerow planting to the boundary with Whitfield Road.⁸ The conditions imposed on this permission required details of tree, hedge and shrub planting to the boundary with Whitfield Road to be submitted. There was also a condition restricting the access to the main access to the wider Site and requiring all other accesses to be stopped up and the highway verge re-instated. These conditions were imposed in the interests of highway safety and to safeguard the rural character of the area.
40. There is an extant enforcement notice that became effective December from 2009 in relation to the access to these Plots.⁹ A subsequent enforcement

⁷ APP/J0405/W/22/3266711 (CD2.8)

⁸ LPA Ref 13/03099/APP

⁹ LPA Ref EN 14/2009

notice in respect of the sub-division of the Plots (but did not reference the access) was upheld at appeal in 2013.¹⁰

41. Although the Council has taken no steps to secure compliance with the 2009 enforcement notice, having regard to the most recent planning permission for these sites it would seem that the intention to re-instate the boundary to this part of Whitfield Road is long-standing. The planning history of the site has evolved since the 2009 enforcement notice became effective.
42. The Inspector who determined a previous appeal considered that the vegetation to the boundary that had been removed would have been similar in appearance to Plot 2.¹¹ Whilst this may be a reasonable assumption, there is no conclusive evidence as to the nature and appearance of the previous boundary. I note that the nature of the hedgerow along Whitfield Road varies. In some places, such as adjacent to Plot 2 it is quite tall and interspersed with trees, whilst in other locations, including in the vicinity of the entrance to the Turweston Airfield, it is about 2 metres in height and there is an absence of trees. There are also a number of locations where the hedge has been removed or reduced in extent to accommodate access points, and a dwelling a short distance to the east has an ornamental open plan frontage, whilst another has a post and rail fence and with a lower (and it would seem recently planted) hedge.
43. I agree with the parties that the most significant impact would be to the Whitfield Road frontage. The previous boundary to Plots 1 and 1A would have been likely to add to the verdant character of Whitfield Road. The extent to which the loss of this vegetation would have opened views of the Site would depend on its appearance, including its height. However, I note that views are very localised and there are no distant views of the Site, including from public footpaths or bridleways. Consequently, public views would be largely confined to a very short stretch of Whitfield Road.
44. The landscape strategy submitted on behalf of the appellants proposes widened meadow verges along the Whitfield Road frontage with mixed native trees to filter views. The proposed landscaping would require the existing boundary hedge to be relocated further into the site in order that planting can be provided. It was confirmed at the Inquiry that the owners of these Plots were willing to modify their front boundaries in order to accommodate the proposed planting. The Council raised concerns that the provision of landscaping in this location could have implications for highway safety, or alternatively, that in order to maintain adequate visibility would need to be maintained at a height that would not provide sufficient screening. However, based on what I saw at the site visit, the visibility splay would be largely accommodated within the existing verge, and therefore it should be possible to accommodate the proposed landscaping in a manner similar to that shown within the appellant's submitted landscape strategy.

¹⁰ Appeal Ref APP/J0405/C/13/2195114

¹¹ APP/J0405/C/13/2195114 & APP/J0405/A/13/2195112

45. This proposed landscaping would provide an enhancement by comparison with the existing situation, and in terms of appearance, the boundary treatment would be consistent with other properties along Whitchurch Road. Although little evidence was submitted to the Inquiry in terms of the previous boundary to these Plots, it is reasonable to conclude that the provision of these two accesses would give rise to some harm to the appearance of the area. Such harm would be limited to Whitfield Road in the immediate vicinity of the Site. Whitfield Road is lightly trafficked, and as noted by the Council is used by few walkers or ramblers. Therefore, those impacted by these views would be small in number. Moreover, I note that although a valid enforcement notice has been in place for over 13 years the Local Planning Authority has yet to take steps to secure compliance with it.
46. At the Inquiry the Council conceded that views of the internal Plots would be very limited, but it submits that due to the increase in the number of caravans that there would be an intensification of use that would be harmful to the character of the Site and this would be noticeable to the occupants. Whilst I accept that there would be some change to the appearance of the Site if the appeals were allowed, the character of the Site would remain that of a large caravan site. The visual changes referred to by the Council would impact on private views that are not generally protected by planning, moreover there are no objections from those affected. Therefore, I do not give any significant weight to the effect of the proposals on these private views.
47. The harm to character and appearance of the countryside would be largely limited to the manner in which the proposed accesses to Plots 1 and 1A, together with the loss of the original vegetation to this boundary, open up views of the Site. This harm would be very localised and mitigated to some extent by the proposed landscaping proposals.
48. I conclude that Plots 3-21 would not impact on the character and appearance of the surrounding countryside. Although there would be some limited harm arising from Plots 1, 1A and 2, subject to the proposed mitigation, I conclude that the proposals in respect of these Plots would not have a significant adverse impact on the surrounding countryside. I therefore conclude that overall the proposals would comply with VALP Policies D11 d) and NE4.
49. I am aware that in considering the appeal on the adjoining land my colleague found that the appeal Site did not have the open and undeveloped appearance recorded previously and noted "a sense of built development and clutter right up to the boundaries of the park and beyond". The Council state that this assessment was based on the lawful position of 21 static caravans and 28 touring caravans, rather than the current proposals, or the much larger number of unauthorised caravans that previously occupied the Site. There was no evidence at the time of my visit that the present use of the site has extended beyond the boundaries of Sunset Park. Indeed, based on the submitted photographs, this does not appear to be the case even when the Site was occupied by a much greater number of caravans by comparison with the current proposals.

50. It is unclear whether the position of any or the caravans has been altered since the of the above decision. Notwithstanding this, there was general agreement between that parties that the main impact of the proposals in terms of the character and appearance of the surrounding countryside would be due to Plots 1, 1A and 2, and I have assessed the appeal accordingly, taking account of the scale of development permitted by the extant consents.

Whether the proposed site would provide suitable living conditions for future occupants with particular regard to amenity space and privacy

51. Policy D11 criterion c) requires a reasonable level of visual and acoustic privacy for occupants, whilst g) requires that the sites are capable of being adequately serviced by drinking water, utilities and sewerage disposal facilities.
52. In terms of the latter, evidence was submitted to the Inquiry to demonstrate that the individual Plots were served by cess pits, had a satisfactory water supply, and had appropriate fire safety equipment including alarms installed. In addition, extensive documentation was submitted to demonstrate that they also benefitted from gas and electrical safety certificates. On the basis of this evidence, I am satisfied that the individual Plots would comply with D11 g). Furthermore, as noted above, The Council no longer pursues its reason for refusal in relation to water supply and sewage subject to the imposition of an appropriate condition.
53. All of the caravans are positioned at least 6 metres from each other and therefore comply with the Caravan Act. Having visited the site I am satisfied that the caravans all benefit from an adequate level of privacy. Furthermore, the parties propose a condition requiring details of the arrangement of the caravans on the individual Plots. This would provide a mechanism to ensure that there are acceptable levels of privacy between individual caravans.
54. The Council was also concerned about the lack of amenity space. Whilst the accompanying text to Policy D11 references the Designing Gypsy and Traveller Sites – Good Practice Guide, CLG, 2008, this was withdrawn in 2015 and therefore I do not afford it weight in these decisions. Notwithstanding this, there are a number of children on the Site at present and it is reasonable to expect the Site to provide adequate amenity space to meet their needs and those of other residents on the site.
55. At the time of my visit I observed that for the most part vehicles were parked discretely to the side of caravans leaving the centre of the Plots free and this provided informal playspace for children. There were also a number of Plots with small pockets of more private space. I accept that these areas are also used by vehicles manoeuvring on and off the individual Plots. Most Plots are occupied by family groups, or individuals well known to each other. The Plot holders would be aware of the presence of children and I see no reason why the shared use of this space, in these particular circumstances, would pose a safety risk to children, particularly since the caravans are static so would not be moving on and off site. Whilst the amount of amenity space may be less than for bricks and mortar housing, I noted at the time of my visit that there

was sufficient space on many Plots for children to pursue an informal game of football or other activities. Moreover, the reality is that the alternative for many of these children would be living at the roadside.

56. I therefore conclude that whilst a more generous provision of amenity space may be desirable, all Plots would provide adequate amenity space and privacy for occupants and would therefore comply with Policy D11 c).

Whether in the absence of any provision for touring caravans the proposed site would be suitable for Gypsies and Travellers

57. The appeal proposals do not include provision for keeping caravans on any of the individual Plots. The Council submit that the failure to do so means that the Plots are unsuited to Gypsies and Travellers in that it would impede their nomadic way of life.
58. A number of the current residents stated that they had sold their touring caravans and were not travelling at the present time but returned to the site overnight. They continued to visit the various horsefairs for social purposes. A number of reasons were given for this, including personal circumstances. Others had found the recent Police and Criminal Justice Act made stopping at the roadside more challenging and there was a risk of losing their caravans. Some occupants were in the process of exchanging their two axle caravans for single axle caravans which they felt were less likely to be confiscated by the Police. Others stated that they sometimes stayed in hotels, or with relatives when away.
59. Those that continued to travel kept their caravans in storage. The range of locations varied, but generally related to the areas they travelled to. I do not consider that the failure to provide for the storage of these caravans on the Site means that it is unsuitable for those who still pursue a nomadic way of life. Indeed, the Council's position at the close of the Inquiry was that those on Plots 1, 3, 5, 6, 7, 8, 10, 12, 14, 15, 19, and 20 met the definition of PPTS. Consequently, those residents that continue to travel are able to make alternative arrangements for the storage of their caravans, and the absence of such storage on the Site does not mean that it is unsuited to their needs.
60. In addition, it was confirmed that it was possible to store caravans along the access road particularly in the short term at the beginning and end of travelling. I agree with the Council, that in practical terms it would not be possible to store the number of caravans indicated on Plan J004023-DD/A. In particular it shows only the smallest size of touring caravan, and there would also need to be manoeuvring space. However, this area would allow for caravans to be stored short term at the beginning and end of travelling if required. This would not give rise to inconvenience to other road users and there would be no adverse impacts on highway safety.
61. The Council was of the view that neither the residents of the Site, nor the appellants had the right to keep vehicles in this location. It is not clear that

this is the case, and it would be a private matter between residents and/or appellants and the owner of the access road.

62. Whilst I accept that it may be more convenient to keep touring caravans at the appeal site, I do not consider that failure to provide space for touring caravans on site makes it fundamentally unsuitable for use by Gypsies and Travellers.

The need for and supply of Gypsy and Traveller sites within Buckinghamshire, including whether there is a five year supply of Gypsy and Traveller sites.

Need for Sites

63. The need for Gypsy and Traveller sites is addressed by Policies S6 and D11 of the VALP. Policy S6 identifies a need for 84 additional pitches over the plan period and allocates 69 pitches to meet the need over the 10 year period from 2016 -2026. The assessment of need is based on the Aylesbury Vale, Chiltern, South Buck and Wycombe District Council's Gypsy, Traveller and Travelling Showpeople Accommodation Assessment February 2017 (GTAA).
64. The GTAA sought to provide an updated assessment of need following the changed definition of Travellers within the 2015 PPTS. This change in definition excluded those who ceased to travel permanently due to educational or health needs or old age. At the base date of the GTAA there were 4 households that met the 2015 PPTS definition, 20 that did not meet the definition, and 87 where the status of the occupants was unknown.
65. Policy S6 of the VALP seeks to meet the need for known and unknown gypsies and travellers for the first 10 years of the VALP. The Inspector Examining the VALP found this to be a cautious approach given the large proportion of people whose status is unclear. He concluded that this approach was sound. The needs of those falling outside of Policy S6 (those who do not meet the definition) is expected to be met by the criteria based Policy D11.
66. I consider that the GTAA has likely underestimated the need for pitches. Firstly, both those households that meet the definition, and those that do not, generated a need from concealed households and a 5 year need from older teenage children of 5 and 12 pitches respectively. Due to the absence of interviews neither of these needs was provided for within the unknown category, despite this category comprising almost 80% of the identified pitches. This is an untypically high proportion of unknown households. Although the needs of concealed households and older teenage children can only be clearly established by interviews, it seems improbable that those travellers whose status is unknown would not give rise to a similar level of need in respect of these categories as other households. In the case of those families who meet the definition the need from these two categories gives rise to a need for five additional pitches for 4 households. When new household formation rates are included the total additional need for these households is 8, a 200% increase in pitches. Whilst not all of the unknowns are likely to meet

the PPTS definition, and new household rates are included in the assessment, I consider that the needs for this group are likely to be under-estimated.

67. Secondly, in the case of the appeal Site the GTAA indicates that only 5 interviews were conducted for the 21 pitches. It states that contact was not possible with 16 households, and therefore these households were assessed as unknown despite permanent planning permission being granted in July 2016 for 10 plots to be occupied by those meeting the PPTS definition on the basis of applications submitted prior to the ORS survey. It is not clear how many of the remaining 11 plots came within the unknown category, but it would seem that it must be at least 7, even if no other permanent pitches were identified elsewhere in Aylesbury Vale.¹² The low number of pitches identified as being occupied by known households on the appeal Site (a maximum of 4 out of 21), including those pitches that were being assessed at the time of the survey, suggest that the findings of the GTAA are not robust.
68. Thirdly, the GTAA has not been updated. It is almost seven years since the surveys were undertaken and therefore the 5 year need for older teenage children is likely to have changed. A child who was 10 or 11 at the time of the survey would now be 17 or 18 and it is likely that some of these children would have a need for their own accommodation.
69. Finally, the recent Lisa Smith case found that the PPTS exclusion in relation to those who had ceased to travel permanently on grounds of educational and health needs, or old age was discriminatory, and that, on the evidence before the Court, there was no proper justification for that discrimination. The GTAA identified a need for 27 pitches for households coming within this exclusion, 22 of these were required within the first 10 years of the plan period. Consequently, the level of need in 2016 was likely to be for about 22 additional pitches dependant on whether those within this group were households who had ceased to travel. At the Inquiry the Council confirmed that this need had not been specifically addressed by policies within the VALP and would be assessed against Policy D11.
70. At the base date of the GTAA, February 2016, there were some 10 permanent authorised gypsy sites in the District containing a total of around 65 pitches, including 11 on the appeal site (5 of which were identified as vacant). In addition there were three sites with temporary permission (14 pitches) and 8 sites containing 42 unauthorised pitches, including the 10 on the appeal site. The significant number of temporary and unauthorised pitches at the base date suggests an underlying unmet need even before any household growth or the need of households with older teenagers is factored in.
71. I agree with the Local Plan Inspector that the approach within the VALP whereby 100% of unknown households are provided for is a cautious approach. Whilst an allowance for future household formation is made for the unknown households, it does not provide for any concealed households or the five year

¹² Only 4 permanent plots were identified within Aylesbury Vale District.

need from older teenage children. In this respect it would under-estimate the need for households meeting the PPTS definition within the unknown category.

72. Paragraph 7 b) of PPTS states that local planning authorities should prepare and maintain an up-to-date understanding of the likely accommodation needs of their areas over the life span of the development plan. However the GTAA has not been updated, and although the Council intend to commission an updated GTAA this had not been progressed at the time of the Inquiry, and there was no programme in place to take this matter forward.

Supply

73. The Council submit that 49 pitches were delivered in the period 2016 -2022, leaving 22 pitches to be delivered during the remainder of the 10 year period up to 2027.¹³ On this basis it believes that there would be a surplus of 7 pitches. It would seem that 37 of the 69 plots allocated for the first 10 years (including 10 on the appeal Site), were allocated to meet the existing need arising from temporary pitches or lapsed permissions. The pitches delivered also included 9 that did not form part of the identified need at Policy S6.¹⁴ 61 of the 69 pitches required for the period up to 2026 were required for the 2016 -2021 period. Consequently, the delivery of 49 sites during the period up to 2022 would represent a significant shortfall.
74. Whereas the need for sites is assessed on the basis of the PPTS definition, the supply of sites, including those allocated by Policy S6 of the VALP, are not similarly distinguished. Accordingly, it is not possible to ascertain from the submitted information whether the pitches allocated and/or permitted were for households that met the PPTS definition, those falling outside of the definition, or the unknown households. Since the need assessment that underpins Policy S6 does not include households that do not meet the definition, it is not possible to undertake a like for like comparison of the assessed need and the supply.
75. Policy S6 includes 10 plots at the appeal Site to allow for the existing temporary pitches at Plots 11 -21 to become permanent. Although permanent planning permission had been granted by the time of the VALP Examination, the temporary pitches formed part of the 2016 baseline. Nevertheless, it would seem that the allocations within the VALP has double counted some of the plots on the appeal Site. In addition to the 11 permanent plots and the 10 allocated plots, it includes 5 vacant pitches available for occupation. I have reviewed the extensive planning history for the Site and the evidence submitted by both parties, and there is no evidence to suggest that there has been more than 21 plots at any one time. I therefore consider that the supply should be reduced by 5 to reflect this apparent error. I find that this error is replicated in the Council's assessment of supply.

¹³ 20 pitches to meet the remainder of the 2016- 2026 need and an additional 2 pitches to meet the annualised need for 2026-2027

¹⁴ These include 2 permitted adjacent to the appeal site (CD2.8)

76. The allocated pitches include 10 that are to be delivered as part of the South and Southwest Aylesbury MDAs. These comprise 5 pitches on each of AGT1 & AGT2. These are large strategic housing sites within south Aylesbury and south west Aylesbury and form part of Aylesbury Garden Town which is the focus for the majority of Aylesbury Vale's growth.
77. AGT1 is an allocation for 1,000 dwellings, a primary school and the Aylesbury South East Link Road. The accompanying text states that 125 dwellings were permitted under reference 18/00913/ADP and are expected to be delivered by 2022, but that the remainder was due to come forward between 2024 and 2033 as it is dependent on the delivery of infrastructure related to the development of HS2. It is intended that an AGT1 Masterplan SPD will provide further guidance and information on expected time of delivery as well as site layout and disposition of land uses.
78. At the Inquiry the Council suggested that this site would come forward within the short to medium term and was not reliant on the delivery of infrastructure. The SPD has recently been published for public consultation. The Council state that once the SPD has been adopted it would assist with speeding up the delivery of this site. Whilst the site will require the delivery of significant infrastructure, the Council suggest that this would not delay the delivery of the Gypsy and Traveller pitches since these could be accessed from a separate road.
79. Although the Council believes that there is a realistic prospect that the pitches on this site would be delivered by 2026 I find this to be unduly optimistic. The SPD has yet to be approved an adopted, an outline planning application would need to be prepared and submitted, and in order for that to be approved the necessary infrastructure would need to be secured. Reserved matters would then need to be discharged. In my experience, on sites such as this, particularly where multiple developers are involved it can take two or more years before outline permission is granted. Moreover, there is no certainty that the proposal would be acceptable, and it may be necessary to significantly amend it, or if planning permission is refused an appeal may follow. Even if the planning application process were to be as expeditious as the Council suggests, there is no evidence as to the intended phasing of the development and the Council's view that the Gypsy and Traveller pitches could be delivered in advance of other development is not supported by the evidence.
80. AGT2 is allocated for at least 1,490 dwellings in the period up to 2033, a primary school, Strategic flood defences and the South West Link Road between Stoke Mandeville A4010 realignment and A418 Oxford Road single carriageway, junction improvements at A413 and A418. Policy D-AGT2 states that the development of the south west Aylesbury Strategic Site Allocation will come forward towards the latter end of the Plan period, and only once a Masterplan for the allocation has been prepared. It would seem that there are a number of infrastructure constraints to be resolved in that the HS2 route forms the southern boundary, there is an area of flood risk zone to the north of

the site, and surface water and groundwater flood risk, and overhead power lines bisect the site.

81. Although Policy D-AGT2 anticipates that 129 homes will be built by 2020 and a further 121 homes would be delivered between 2020-2025, at the Inquiry the Council explained that the current application, originally submitted in 2018 has recently been revised in order to accommodate the allocated Gypsy and Traveller pitches. Therefore, the anticipated delivery dates have not been achieved. The Council stated that the Gypsy site would use a separate access from the rest of the allocation and should therefore be able to come forward independently of the remainder of the allocation. No evidence was submitted to the Inquiry to support this view and the Policy clearly states that the site will only come forward once a masterplan has been prepared.
82. Whilst AGT2 may have reached a more advanced stage by comparison with AGT1, there is no permission to date, and reserved matters would need to be discharged following any grant of outline permission. Moreover, as with AGT1 there is no certainty that the submitted scheme will be acceptable to the Council and due to the extent of the infrastructure required across the site it is probable that negotiations in relation to site wide infrastructure would be protracted.
83. Whilst both sites may offer a suitable location for development, they are not available now, and there is no clear indication as to when they will be available. On the basis of the evidence submitted to the Inquiry I am not persuaded that there is a realistic prospect that they will be delivered by 2026. Consequently, they should be removed from the supply of sites for the period up to 2026.
84. I conclude that the Council has overestimated the supply of sites and that 15 sites should be removed from the 10 year supply for the reasons given above. On this basis Policy S6 would provide only 54 pitches for the period up to 2026, as against the need for 69 pitches identified by Policy S6. I am aware that an additional 9 pitches delivered on unallocated sites bring the total to 63 pitches. Even if all the allocations and all of these additional pitches contributed to meeting the need identified by the VALP there would remain a shortfall of pitches. I therefore conclude that the Council is unable to demonstrate a 5 year supply of pitches within Aylesbury Vale. If any of the permitted pitches were to meet the future needs of the 20 households that did not meet the PPTS definition the shortfall would be even greater.
85. I acknowledge that in relation to the appeal decision on the adjacent site the Inspector found that the Council has an effective and recently adopted strategy for addressing the general accommodation needs of Gypsy and Travellers and also that it could demonstrate a five-year supply of pitches. For the reasons given above I do not share this view, moreover, it is unclear as to the nature of the submissions or evidence before that Inspector.

Local Planning Authority Wide Supply of Sites

86. The parties also differed as to whether the need for Gypsy and Traveller sites should be assessed against the need set out at Policy S6 of the VALP, or the need across the entire Local Planning Authority Area.
87. Buckinghamshire Council is a single tier council resulting from the abolition of four district councils including Aylesbury Vale District Council. It came into effect on 1 April 2020. Amongst other matters PPTS requires local planning authorities, when producing their Local Plan to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets. In terms of decision making, where a local planning authority cannot demonstrate an up to date five years supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
88. I agree with the parties that the VALP remains the development plan for the part of Buckinghamshire that previously came within Aylesbury Vale District. As set out within National Planning Policy Guidance (PPG) and the Local Government (Structural Changes) (General) (Amendment) Regulations 2018 the adopted plan remains in place for the areas set out in that plan, however the regulations require new plans to cover the whole of the new area to be adopted within five years of the reorganisation.¹⁵
89. In the case of Buckinghamshire the four previous authorities benefited from a joint GTAA although the time period for the delivery of sites varied reflecting the timeframe of the various Local Plans. A document prepared by the Council sets out the combined need for different five year time periods across Buckinghamshire.¹⁶ It is notable that the identified need lies predominately within Aylesbury Vale. It is apparent from the submitted document that the Council does not have a five year supply of sites across the district as a whole, or, as set out above, within Aylesbury Vale.

Overall Conclusion on need for and supply of pitches

90. For the reasons given above, I consider that the GTAA has significantly underestimated the need for pitches within Aylesbury Vale, and as a consequence the need for pitches is likely to be far greater than that identified by Policy S6. In addition, the need for pitches was assessed against the definition within PPTS 2015 which excludes those who previously qualified under PPTS 2012 and have subsequently ceased to travel permanently for reasons of old age or disability. The Courts have held that the exclusion of travellers who have ceased to travel permanently is discriminatory and unlawful. Therefore if the needs of Gypsies and Travellers coming within this group were also taken into account this would further increase the need.
91. As set out above the Council has a total supply of 63 pitches for the period up to 2026, including 9 that have been delivered on unallocated sites. Unlike the

¹⁵ ID: 61-074-20190723

¹⁶ ID13 & ID14

assessment of need which is predicated on the PPTS 2015 definition, although it includes some provision for the unknown group, the supply of sites does not distinguish between the different groups of travellers. Therefore on the basis of the available information it is not possible to determine whether the permitted, or indeed the allocated sites contributed toward meeting the identified need or the needs arising from those that fell outside of the PPTS 2015 definition.

92. There is an existing shortfall against the identified need for pitches for the period up to 2021, and a further shortfall against the identified need for the period up to 2026. If the likely underestimation of need is also taken into account the shortfall would be even greater. I therefore conclude that there is a pressing and urgent need for pitches within Aylesbury Vale and within Buckinghamshire more generally.

Other Matters

93. Policy D11 h) requires sites to remain small in scale and indicates that there should normally be no more than 15 sites per pitch. However, this threshold is exceeded by the extant permissions and the allocations within the VALP, and the reason for the threshold is not explained. I therefore afford little weight to the conflict with this criterion. Both PPTS and Criterion e) of Policy D11 seek to ensure that sites are appropriate to the size and density of the local settled community, and do not dominate the nearest settled community. Whilst taken together the proposals would result in a very large site there is no evidence that it gives rise to harm to the local community. It is visually self-contained and there were no objections to any of the proposals from interested parties. Although the site is large in scale the full extent of it is only apparent once you enter the site, therefore it does not dominate the surrounding area.
94. PPTS considers sustainability in the round. The provision of a settled base for up to 85 traveller families would promote access to health services; ensure that children can attend school on a regular basis; reduce the need for long-distance travelling and possible environmental damage caused by unauthorised encampments; and allow some to live and work from the same location. The Site is not at risk of flooding and would provide a Site of reasonable environmental quality for its occupants. In addition, the Site is previously developed land and therefore making effective use of the Site would accord with VALP Policy S7 and paragraph 26 of PPTS. The previously developed status of the land arises not only from the previously permitted caravan use, but also from the previous use of the Site as part of the Turweston Airfield. Whilst occupants of the Site would be reliant on the use of private motor vehicles for most of their journeys, having regard to the access of the site to the highway network and the benefits of a settled location, particularly for the children, I consider that looked at in the round the proposals would be sustainable development and would comply with Policies D11 and S1.
95. A Written Ministerial Statement made on 17 December 2015 confirmed that 'intentional unauthorised development' is a material consideration to be

weighed in the determination of planning applications and appeals. The current occupants and owners of the Plots differ from those who submitted the applications. The use of the land was lawful in so far as there was an extant permission for keeping caravans on each Plot, but the number of caravans permitted was significantly exceeded. Although the current occupants are not the appellants, the previous use of the Site for 146 caravans has ceased, and the appellants have sought to regularise the development by applying for planning permission. Notwithstanding this, the use of the site for stationing 85 static caravans does represent intentional unauthorised development.

96. The works necessary to accommodate the additional caravans is very limited and mainly consisted of ensuring that the Plots are of a satisfactory standard in terms of safety and amenity. Therefore I afford limited weight to the intentional unauthorised development of the Site.
97. The Council referred to two cases where the Inspectors attributed significant adverse weight to intentional unauthorised development. Both cases can be distinguished from the appeal proposals in that they gave rise to substantial harm to other interests. In the case of the Hardwick Lane appeal there was harm to the Green Belt and a nearby European protected site, whilst the Land east of Cransley Road case involved significant and irreversible harm to archaeological and ecological interests. In addition, both involved significant works to land that was previously undeveloped. I therefore do not consider the circumstances of these appeals to be comparable to the appeals before me.

Planning Balance

98. I have found that the Site has reasonable access to services and subject to the proposed mitigation, would not have a significant effect on the character and appearance of the surrounding countryside. The Site would provide an acceptable standard of amenity for residents. It would also help to meet a pressing and urgent need for sites within Aylesbury Vale and Buckinghamshire.
99. Overall, I conclude that the proposed developments would be environmentally, socially and economically sustainable and would comply with the development plan as a whole. Although the proposal represents intentional unauthorised development, for the reasons given above I afford this limited weight, and it does not justify a decision other than in accordance with the development plan.
100. Extensive evidence in relation to the personal accommodation needs of the current occupants of the Site, and their status in relation to the 2015 PPTS definition was submitted to the Inquiry. Since I have found the proposal to comply with the development plan as a whole overall it is not necessary for me to take this information into account. Therefore in accordance with paragraph 11 of the Framework planning permission should be granted.

Conditions

101. The parties submitted draft planning conditions. These were amended during the course of the Inquiry and were discussed during a roundtable

session. I have considered the conditions in the light of the advice within the Framework and PPG and I have also taken the views of the parties into account.

102. The first condition requires the proposal to be implemented in accordance with the submitted plans, other than where details are required to be submitted under condition 6. The submitted plans show the location of the proposed caravans and the Plot boundaries, but no other information. Since the layout of the Plots are required to be submitted as part of suggested Condition 6, I consider that Condition 1 serves no useful purpose. The Council suggest that it would allow an application under s73 of the Act should the proposals be modified, but any increase in the number of caravans would be materially different from what is approved. I therefore do not consider the suggested condition to be necessary.
103. The Council's suggested Condition 2 seeks to impose a condition restricting the use of Plots 1,3,5,6,7,8,10,12,14,15, 19 and 20 to occupants that comply with the PPTS 2015 definition of Gypsies and Travellers at Annex A. However, the Court of Appeal in *Smith* held that the exclusion of Travellers who have ceased to travel permanently is discriminatory and has no legitimate aim. In this case, some of the residents have ceased to travel by reason of age, health or education. There is also no foretelling as to whether any other residents might be forced to cease travelling permanently during the anticipated lifetime of the permission. Imposing the suggested condition in relation to the above Plots would be liable to result in unlawful discrimination with members of these families being unable to live on this Site.
104. The Council consider the condition to be necessary in order to maintain an adequate supply of sites for those who meet the PPTS definition. I do not consider that this provides sufficient justification for an unlawful and discriminatory condition. I shall therefore grant planning permission subject to a condition which restricts occupation to Gypsies and Travellers, defined so as to not exclude those who have ceased travelling permanently.
105. Condition 3 seeks to limit the number of caravans on the site at any one time. The total number of caravans permitted would vary according to the Plot. At the Inquiry the Council stated that it was not necessary to limit the caravans to static caravans. I agree with this position. Suggested Condition 4 and suggested condition 5 limit the size of commercial vehicles that can be parked or stored on the site and prevent commercial activities from taking place on the site. I agree that these conditions are necessary in order to protect the living conditions of other residents.
106. Suggested condition 6 requires the submission of a site development scheme. This includes details of the layout of the site, turning space, amenity space and refuse storage. I agree that details of the arrangement of caravans within the Plots is necessary in order to ensure that there is sufficient space between individual caravans to maintain privacy. However, parking arrangements and the provision of amenity space varies from Plot to Plot. Not

all of those occupying caravans have cars. I noted at the time of my visit that most cars were discretely parked within the individual Plots and this allowed the central area of the site to be used as informal amenity space. No concerns were raised regarding parking in Whitfield Road, or any evidence that this has ever occurred. There is capacity for some parking on the access road, although this was lightly used at the time of my visit suggesting that most occupants park on their own Plot.

107. Similarly, the amenity areas varied from Plot to Plot, with some benefiting from small individual green spaces and trees and hedgerows, whilst within others the space between the caravans towards the centre of the site provided space for recreation and play. I accept that it is important that children playing are not put at risk from moving vehicles, but the individual Plots are occupied by family groups so they would be aware of the need to keep children safe at these times. I consider that formalising the layout of the site by providing separate parking, manoeuvring and amenity areas has the potential to limit the manner in which the Plots are used and is unnecessary and unreasonable.
108. Condition 6 also seeks details of foul and surface water drainage, water supply, external lighting means of enclosure, electric vehicle charging points and a scheme to achieve biodiversity net gain. All plots benefit from existing cess pits. Occupants of the Plots provided evidence to the Inquiry regarding the management of these cess pits and the arrangements for them to be emptied. On many of the Plots the pipes were buried. The number of households has increased since the cess pits were originally installed and therefore I agree that details of foul and surface water drainage should be submitted for approval.
109. I agree that external lighting should be controlled in the interests of the rural character of the area. Electrical vehicle charging points are necessary in the interests of sustainability and in order to reduce carbon emissions. The condition also requires a Landscaping scheme in respect of Plots 1, 1A and 2. I consider this to be reasonable in that it would assist with mitigating the impact of the proposed developments on the appearance of Whitfield Road.
110. Suggested Condition 7 removes permitted development rights in relation to sheds and amenity buildings and I agree that this is necessary in the interests of amenity. Suggested Condition 8 limits external lighting to that approved by suggested condition 6 and is necessary in order to safeguard the rural character of the area.

Conclusion

111. For the reasons given above, I all the appeals are allowed, subject to the conditions in the attached schedule.

Lesley Coffey

INSPECTOR

Appeal Decisions APP/J0405/W/22/3295747, APP/J0405/W/22/3295748, APP/J0405/W/22/3295749, APP/J0405/W/22/3295750, APP/J0405/W/22/3295751, APP/J0405/W/22/3295752, APP/J0405/W/22/3295753, APP/J0405/W/22/3295754, APP/J0405/W/22/3295755, APP/J0405/W/22/3295756, APP/J0405/W/22/3295757, APP/J0405/W/22/3295758, APP/J0405/W/22/3295759, APP/J0405/W/22/3295760, APP/J0405/W/22/3295761, APP/J0405/W/22/3295762, APP/J0405/W/22/3295763, APP/J0405/W/22/3295764, APP/J0405/W/22/3295765, APP/J0405/W/22/3295766

APPEARANCES

FOR THE APPELLANT:

Timothy Jones of Counsel

He Called:

Brian Woods WS Planning and Architecture

FOR THE LOCAL PLANNING AUTHORITY:

Charles Merrett of Counsel

He Called:

Phillip Hughes PHP Planners

Louise Anderson Buckinghamshire Council

DOCUMENTS SUBMITTED DURING INQUIRY

ID 1	LPA opening statement
ID 2	Inspector Fussey Decision
ID 3	School application for Mary Reilly
ID 4	Information in respect of David Reilly health
ID 5	Letter from O'Leary Caravans regarding caravan spacing
ID 6	School application information in relation to Nevin Children
ID 7	Amended Witness statement Plot 2
ID 8	Amended Witness statement Plot 4
ID 9	Amended Witness statement Plot 9
ID 10	Revised Statement of Common Ground amending planning history
ID 11	Planning History bundle of decisions
ID 12	Revised plan with correct plot numbers
ID 13	Email and information Phillipa Jarvis
ID 14	Supplementary Proof of Evidence PJ
ID 15	Extract from Aylesbury Vale Assessment of Traveller sites
ID 16	Plan and photographs showing location of manhole covers
ID 17	Updated Schedule of Occupants
ID 18	PINS Decision Letter Appeal Ref: APP/M1710/W/20/3249161 Land north of Lower Park Farm, Abbey Road, Medstead, Alton, 11 November 2022

Appeal Decisions APP/J0405/W/22/3295747, APP/J0405/W/22/3295748, APP/J0405/W/22/3295749, APP/J0405/W/22/3295750, APP/J0405/W/22/3295751, APP/J0405/W/22/3295752, APP/J0405/W/22/3295753, APP/J0405/W/22/3295754, APP/J0405/W/22/3295755, APP/J0405/W/22/3295756, APP/J0405/W/22/3295757, APP/J0405/W/22/3295758, APP/J0405/W/22/3295759, APP/J0405/W/22/3295760, APP/J0405/W/22/3295761, APP/J0405/W/22/3295762, APP/J0405/W/22/3295763, APP/J0405/W/22/3295764, APP/J0405/W/22/3295765, APP/J0405/W/22/3295766

ID 19	PINS Decision Letter Appeal Refs: APP/V1505/C/20/3265750, 3265751, 3265752 3265753, 3268185, 3268187, 3268188. Land west of Hillview, Southend Arterial Road, Wickford, Essex, 16 November 2022
ID 20	<i>Cawrey Ltd v Secretary of State for Communities and Local Government</i> [2016] EWHC 1198
ID 21	Shropshire/Bungay judgement
ID 22	School admission letters for Nevin Children and Mary Reilly
ID23	Further updated schedule of occupants
ID 24	Communities and Local Government, Model Standards for Caravan Sites in England - 2008
ID 25	Updated list of conditions
ID 26	Further updates schedule of occupants dated 23.11.2022
ID 27	Updated Statement of Common Ground
ID 28	Further update of schedule of occupants dated 24.11.2022
ID 29	Further update to SoCG
ID 30	School application documents
ID 31	LPA closing submission
ID 32	Appendix to LPA closing submission setting out circumstances for each plot
ID 33	Appellants' closing submission

Schedule 1 Appeal Decisions Sunset Park, Whitfield Road NN13 5TD

Appeal A Ref: APP/J0405/W/22/3295746

Plot 20A, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 20A, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04448/APP, dated 16 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal B Ref: APP/J0405/W/22/3295747
Plot 01, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 5no. Static Caravans at Plot 01, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04450/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In accordance with the submitted plans, there shall be no more than 5 caravans stationed on the pitch at any one time.

3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to F), ii, iii and iv below:

- (ii) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) all hard and soft landscaping of the site, including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities as well as a schedule of maintenance for a period of 5 years to include provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies within 5 years of planting or, in the opinion of the local planning authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted;
 - e) the location and details of one electric vehicle charging point; and
 - f) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal C Ref: APP/J0405/W/22/3295748
Plot 01A, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 3 no. Static Caravans at Plot 01A, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04458/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 3 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed

within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to f), ii, iii and iv below:

- (iii) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) all hard and soft landscaping of the site, including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities as well as a schedule of maintenance for a period of 5 years to include provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies within 5 years of planting or, in the opinion of the local planning authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted;
 - e) the location and details of one electric vehicle charging point; and
 - f) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal D Ref: APP/J0405/W/22/3295749
Plot 02, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 5 no. Static Caravans at Plot 02, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04451/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 5 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (iv) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits,

vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;

- c) proposed and existing external lighting on the boundary of and within the site;
- d) all hard and soft landscaping of the site, including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities as well as a schedule of maintenance for a period of 5 years to include provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies within 5 years of planting or, in the opinion of the local planning authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted;
- e) the location and details of one electric vehicle charging point; and
- f) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal E Ref: APP/J0405/W/22/3295750
Plot 03, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4 no. Static Caravans at Plot 03, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04452/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (v) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and

- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal F Ref: APP/J0405/W/22/3295751
Plot 04, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 3no. Static Caravans at Plot 04, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04453/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or

permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In accordance with the submitted plans, there shall be no more than 3 caravans stationed on the pitch at any one time.

3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

- (vi) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal G Ref: APP/J0405/W/22/3295752
Plot 05, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 5no. Static Caravans at Plot 05, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04454/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 5 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (vii) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;

- b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
- c) proposed and existing external lighting on the boundary of and within the site;
- d) the location and details of one electric vehicle charging point; and
- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

- (ii) If within 11 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.
- (iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal H Ref: APP/J0405/W/22/3295753
Plot 06, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 3no. Static Caravans at Plot 06, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04455/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 3 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (viii) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal I Ref: APP/J0405/W/22/3295754
Plot 07, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 07, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04456/APP, dated 12 November 2021, subject to the following condition:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - (ii) If within 11 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.
 - (iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter retained.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be

erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal J Ref: APP/J0405/W/22/3295755
Plot 08, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 3no. Static Caravans at Plot 08, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04457/APP, dated 17 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 3 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;

- c) proposed and existing external lighting on the boundary of and within the site;
- d) the location and details of one electric vehicle charging point; and
- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

- (ii) If within 11 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.
- (iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

- 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal K Ref: APP/J0405/W/22/3295756
Plot 09, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 5no. Static Caravans at Plot 09, Sunset Park Homes, BRACKLEY, NN13 5TD in

accordance with the terms of the application, Ref 21/04437/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In accordance with the submitted plans, there shall be no more than 5 caravans stationed on the pitch at any one time.

3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

(ix) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:

- a) The internal layout of the site, including the layout of caravans;
- b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
- c) proposed and existing external lighting on the boundary of and within the site;
- d) the location and details of one electric vehicle charging point; and
- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal L Ref: APP/J0405/W/22/3295757
Plot 10, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 5no. Static Caravans at Plot 10, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04438/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 5 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed

within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

- (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal M Ref: APP/J0405/W/22/3295758
Plot 11, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 11, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04439/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and

- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal N Ref: APP/J0405/W/22/3295759
Plot 12, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 12, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04440/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or

permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.

3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

- (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal O Ref: APP/J0405/W/22/3295760
Plot 14, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 14, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04441/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;

- b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
- c) proposed and existing external lighting on the boundary of and within the site;
- d) the location and details of one electric vehicle charging point; and
- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

- (ii) If within 11 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.
- (iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal P Ref: APP/J0405/W/22/3295761
Plot 15, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 15, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04442/APP, dated 12 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal Q Ref: APP/J0405/W/22/3295762
Plot 16, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 16, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04443/APP, dated 16 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

- (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the

site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal R Ref: APP/J0405/W/22/3295763
Plot 17, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 17, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04444/APP, dated 16 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;

- c) proposed and existing external lighting on the boundary of and within the site;
- d) the location and details of one electric vehicle charging point; and
- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal S Ref: APP/J0405/W/22/3295764
Plot 18, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Plot 18, Sunset Park Homes, BRACKLEY, NN13 5TD in

accordance with the terms of the application, Ref 21/04445/APP, dated 16 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.

3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.

4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

- (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal T Ref: APP/J0405/W/22/3295765
Plot 19, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Caravan 19, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/0446/APP, dated 16 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.

5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:

- (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and
 - e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal U Ref: APP/J0405/W/22/3295766
Plot 20, Sunset Park Homes, Whitfield, BRACKLEY, NN13 5TD

The appeal is allowed and planning permission is granted for Retention of 4no. Static Caravans at Caravan 20, Sunset Park Homes, BRACKLEY, NN13 5TD in accordance with the terms of the application, Ref 21/04447/APP, dated 17 November 2021, subject to the following conditions:

1. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
2. In accordance with the submitted plans, there shall be no more than 4 caravans stationed on the pitch at any one time.
3. No vehicle over 3.5 tonnes, shall be stationed, parked or stored on this site.
4. No commercial activities shall take place on the land, including the storage of materials.
5. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) a) to e), ii, iii and iv below:
 - (i) Within 3 months of the date of this decision a 'site development scheme' shall be submitted to include:
 - a) The internal layout of the site, including the layout of caravans;
 - b) the means of foul and surface water drainage of, and water supply to, the site, including the location and specification of cess pits, vertical and horizontal drain runs and water supply pipes and means of managing the foul water system and emptying any cess pit;
 - c) proposed and existing external lighting on the boundary of and within the site;
 - d) the location and details of one electric vehicle charging point; and

- e) a scheme to achieve measurable biodiversity net gain and mitigation including a timetable for implementation, monitoring and management and details of the baseline;

(Hereafter referred to as the site development scheme), shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 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.

(iii) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location shall have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 there shall be no means of external illumination other than that approved under condition 5(i)(c) above unless details of it have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.