



Appeal Decision

Hearing held on 22 March 2023

Site visit made on 22 March 2023

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 May 2023

Appeal Ref: APP/J1915/W/21/3269407

Wheelwrights Farm, Rowney Lane, Dane End, Ware, SG12 0JY

- 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 James Cash against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/0177/FUL, dated 29 January 2020, was refused by notice dated 20 October 2020.
 - The development proposed is change of use of land to a mixed use to use for the stabling/keeping of horses and as a residential caravan site for 4 Gypsy families, including erection of 2 No. amenity buildings.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land to a mixed use to use for the stabling/keeping of horses and as a residential caravan site for 4 Gypsy families, including erection of 2 No. amenity buildings at Wheelwrights Farm, Rowney Lane, Dane End, Ware, SG12 0JY in accordance with the terms of the application, Ref 3/20/0177/FUL, dated 29 January 2020, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the appeal site represents an appropriate location for the proposed development, having regard to the Council's spatial strategy for traveller pitches;
 - whether the development would provide acceptable living conditions for future occupiers, with particular reference to private amenity space and storage;
 - whether the development would preserve the setting of Grade II Listed Rowney Priory;
 - the effect of the proposed development on the availability of equestrian facilities.

Reasons

Character and appearance

3. The appeal site is located within the countryside but is substantially screened from Rowney Lane by the existing hedgerow and boundary treatment, with glimpsed views possible through the foliage along surrounding roads.
4. The appeal site is located within the High Cross Plateau Landscape Character Area according to the Council's Landscape Character Assessment Supplementary Planning Document (SPD). The SPD sets out that the area has a moderate strength of character and is in moderate condition. The guidelines are to conserve and improve the landscape. The landscape description sets out that the area is one of undulating arable upland with limited views, filtered by hedgerow vegetation and the appeal site exhibits these characteristics.
5. The area has appreciable qualities in terms of its rural character with the broader site contributing to the coherence of the rural landscape, with the existing paddocks influencing the wider pastoral character. These are important contributing factors to the character of the area.
6. The site has the benefit of planning permission described as a mixed equine use and a residential caravan site for one gypsy family. As a result any effect on the character and appearance of the countryside must be considered having regard to this existing lawful development on the site.
7. The existing site has, given the period of time that it has been occupied as a Gypsy and Traveller pitch, assimilated into the wider landscape and is not unduly prominent within it. The landscaping that has been put in place has matured and now forms part of the rural character of the area.
8. Whilst the proposed development would result in an increase in the amount of pitches, the layout of the site has been carefully considered to reduce the visual impact. The static mobile homes would be located towards one end of the site and the tourers interspersed between the proposed buildings. The proposal also includes provision for additional landscaping, to be secured by condition, which would enhance the existing boundary planting including landscaping along the boundary between the appeal site and the adjacent paddock.
9. This would ensure that views of the appeal scheme would be minimised, to ensure that any cumulative visual impact remains limited and localised and would be compatible with the rural character and appearance of the area. Accordingly, the introduction of the proposal into the site would not harm and would conserve the character of this part of the countryside having regard to the established lawful use of the site and the existing built development which exists on the site.
10. As a result, there would be no conflict with policy HOU9 of the East Herts District Plan 2018 (the LP) which requires accommodation which meets the needs of Gypsies and Travellers to not cause undue harm to the visual amenity and character of the area and should be capable of being assimilated into the surrounding landscape without significant adverse effect. Similarly, policy GBR2 seeks to maintain the Rural Area Beyond the Green Belt as a valued resource by ensuring such development is compatible with the character and appearance of the area.

11. Policy DES2 of the LP requires development to conserve, enhance or strengthen the character and distinctive features of the districts landscape and policy DES4 expects proposals to respect or improve upon the character of the site and the surrounding area. The proposal therefore accords with the aforementioned policies, for the reasons set out above.

Spatial Strategy – access to services

12. The appeal site is located within a rural setting, where Policy C of the Planning Policy for Traveller Sites (PPTS) indicates that some sites may be located, whilst ensuring that they do not dominate the nearest settled community. Furthermore, the site is not located within the open countryside where Policy H expects new traveller sites should be very strictly limited, having regard to its proximity to other clusters of development.
13. Policy HOU9 and HOU10 of the LP sets out that unallocated pitches for Gypsy and Travellers should be located in a sustainable location in terms of accessibility to existing local services. In addition, policy TRA1 of the LP looks to ensure that development proposals should be located in places which enable sustainable journeys to be made to key services and facilities to help aid reductions in carbon emissions.
14. The nearest discernible village, to the appeal site, is Dane End, which has a limited range of services and facilities. The Council has indicated that the appellant would need to travel to Ware, to access a wider range of facilities, such as health care provision and supermarkets.
15. Due to the intervening distance, it is highly unlikely future residents would regularly walk or cycle to Ware. The nearest bus stop is approximately 2.5km from the site and whilst this would be an available alternative to the private car, the service operates intermittently and therefore, this leads to uncertainty that it would be a realistic alternative to the convenience of a private car.
16. Thus, future occupiers of the proposed pitches would be predisposed to use private motorised transport when accessing everyday facilities and services. This would result in negative impacts on carbon emissions and from disincentivising healthy travel options such as walking. In addition, the road network in and around the appeal site is also rural in its nature and at times of limited width. As such increased vehicle movements associated with the proposed development would have an impact on the road network, however residual cumulative impacts would not be severe.
17. The site is already lawfully occupied by the appellant and their family and as a result there is already an accepted degree of travel arising from the site to access services and facilities. The additional pitches, if restricted by a personal permission, would be occupied by other family members and on this basis it is anticipated there would be a degree of shared travel when accessing the local school and shops or leisure facilities. The National Planning Policy Framework (the Framework) identifies car sharing as a form of sustainable transport, albeit towards the lower end of the movement hierarchy.

18. However, the proposed pitches would increase the number of individuals living on the site and this would, even accepting a degree of car sharing, lead to a rise in the level of activity and trips. This has to be considered against the fact that for parts of the year some of the proposed occupiers, as a result of their nomadic habit of life, would be away travelling and therefore the number of journeys would be reduced.
19. In addition, having regard to the proximity to Ware, any journeys made by car would be reasonably short when bearing in mind that accessibility needs to be considered in the context that members of the travelling community are generally reliant on vehicles wherever they live given their lifestyle.
20. In wider sustainability terms, a settled base can reduce incidents of unauthorised encampments, reduce the need for continuous travel and facilitate consistent access to schools and medical services.
21. This is consistent with the findings of the previous Inspector¹, who concluded that the appeal site was not in an unsustainable location and was not in conflict with policy HOU9. Whilst the previous Inspector did not come to any findings with regard to policy TRA1, the Council provided within their evidence another appeal decision within the District². In this case the Inspector found the requirements of TRA1 were of less relevance to gypsy and traveller sites in the countryside and therefore my findings are consistent with both of these decisions.
22. In conclusion, future occupants of the appeal scheme would not be able to access services and facilities by walking, cycling or public transport. However, they would only be a short drive from services and facilities and there would be opportunities for car sharing. Given the appeal site's close proximity to a sustainable settlement and the nomadic habit of life of the future occupants, the development would, on balance, be located in a sustainable location and thus accord with policies HOU9, HOU10 and TRA1 of the LP. As a result, there would be no conflict with the Council's spatial strategy for traveller sites.
23. The Council have also referred to policy DPS2 within their reason for refusal, however this is an overarching policy that sets out the Council's spatial strategy and is not a policy of direct relevance to this appeal. Moreover, this was agreed by the parties at the hearing.

Living Conditions

24. Policy HOU9 and HOU10 sets out in criteria c that sites should make adequate provision for on-site facilities for storage, play and residential amenity. The Council confirmed at the hearing that its concerns with on site storage was solely related to the provision of bin storage.
25. Within close proximity of the existing static home, which is to be retained, is an area that currently provides sufficient space for the appellant's children to play. Therefore, I am satisfied that whilst this area would be partly taken up by parking for one of the tourers an area would remain which could fulfil this function for a sitting out area and somewhere for the younger children to play.

¹ APP/J1915/W/17/3177630

² APP/J1915/W/19/3234671

26. Furthermore, the appeal site is part of a wider site which is located in a rural area and as such the occupiers of the site would have access to a wider range of open spaces and as part of an active rural lifestyle have the opportunity to enjoy the wider benefits of the countryside.
27. As part of the appeal site visit I witnessed bin storage taking place at the entrance to the site, where the wheelie bins were positioned alongside the existing boundary wall and appeared unobtrusive within the domestic setting of the site. However, accepting that there would be a need for additional bins as part of the proposed development, there would be sufficient space within the site to provide an area for bins to be stored so as not to be visible from outside the site. Therefore, I am content that the precise details of this could be secured by condition.
28. In conclusion, having regard to the wider land within the appellants control, beyond the area edged red on the site plan, I am satisfied that the occupiers of the site would have access to sufficient usable amenity space and that sufficient storage could be provided for bins within the appeal site and that would be in accordance with policy HOU9 and HOU10 of the LP.

Setting of Listed Buildings

29. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when dealing with planning applications.
30. From the appeal site it is possible to glimpse views of Rowney Priory, a Grade II country house, incorporating the fabric of a Benedictine nunnery dating from 1164, and which has been converted to a dwelling and three flats. In my view, the significance of Rowney Priory is derived from its visual appearance and historic interest and its generally undeveloped setting is experienced within the wider landscape.
31. The glossary of the Framework gives a definition of the setting of a heritage asset as "the surroundings in which a heritage asset is experienced". It goes on to advise that the extent of this setting is not fixed and may change as the asset and its surroundings evolve.
32. The appeal site is somewhat distant from the Priory and the appeal development must be considered in the context of both the existing stable and lawful use of the site for the siting of 2 caravans, which was considered in the previous appeal decision to have limited and less than substantial harm on the setting and significance of the designated heritage asset.
33. This proposal would result in an increase in the number of caravans on the site and the construction of 2 amenity buildings. However, this would be offset somewhat by the reduction in the size of the existing stable block. Furthermore, the development would be contained within the existing site boundaries and would not extend further into the adjoining paddocks. Therefore, as a result of the distance between the appeal site and the listed building, views between them are limited and despite the increase in the number of caravans proposed I consider that the level of harm arising to the setting and significance of the listed building would remain both limited and less than substantial.

34. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given that the proposal would be of a relatively small scale, I find the harm to the setting of the listed building to be less than substantial in this instance but nevertheless of considerable importance and weight.
35. Where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. For reasons I go into, the public benefits of the proposal would not outweigh the harm.
36. In conclusion, the proposal would result in limited harm and thus fail to preserve the setting of the listed building. This harm would not be outweighed by public benefits. This would be contrary to policies HA1 and HA7 of the LP, that requires proposals to preserve and enhance the historic environment of East Herts.

Loss of equestrian facilities

37. The proposed development would result in the loss of 2 stables, with 3 remaining on site. Policy CFLR6 of the LP requires proposals that result in the loss of equestrian facilities to be accompanied by an Equestrian Needs Assessment which demonstrates that the facilities are no longer needed.
38. The Council confirmed that there was nothing within the LP to define what comprises an Equestrian Needs Assessment. Any assessment should demonstrate that the stables were no longer required and that its objective was to ensure that there was an overall provision in the locality and that there weren't horses without adequate stabling. This would be considered on a case specific basis.
39. The stables on the site are currently restricted by condition to personal use by the appellant and therefore it would not be possible to market the stables separately. This limits the opportunities available to the appellant to demonstrate that the stables are no longer needed beyond his own needs.
40. The proposed development continues the use of the site for equine purposes and the appeal on the adjoining site within the appellant's ownership, has been allowed, which permits the construction of a manege³. This indicates that there is a commitment to the continuing use of the site for the keeping of horses.
41. Therefore, whilst there will be a reduction in the number of stables available, there will not be a total loss of equestrian facilities associated with the site. The appellant has confirmed that the facilities are no longer required for the number of horses which are kept on the site and as such I am satisfied that in this instance, this oral evidence is sufficient to demonstrate compliance with policy CFLR6 of the LP.

³ APP/J1915/W/21/3273413

Other Considerations

Unmet Need

42. The East Herts Gypsy and Traveller Accommodation Needs Assessment (GTANA) was published in May 2022 and represents the most up to date reference when assessing need. This identifies an assessed need for 43 pitches up to 2037, with 31 pitches required within the period 2022-2027.
43. The Council have provided an updated position statement which sets out how this need will be addressed through policy HOU9 of the LP which provides for 22 pitches with a number of these coming from strategic sites including Birchall Garden Suburb and The Gilston Area.
44. However, even if I were to accept the Council's case that there is a reasonable prospect of these sites being delivered by 2027, there remains an unmet need for 19 pitches, 7 of which need to be delivered within the first 5 years.
45. The parties agree that the appellants meet the 2015 PPTS definition of Gypsies and Travellers and have an unmet need for pitches, which can not be met by current authorised sites or any alternative sites within the district. Furthermore, the GTANA identified within its household interviews that there were three households living in other local authorities who would like to move to the family site at Wheelwrights Farm and these were acknowledged as representing a potential need from in-migration.
46. I attach moderate weight to this consideration, noting that the Council has a criteria based policy under which the unmet need can be considered and the GTANA acknowledges that additional pitches should be seen as windfall need and not contribute towards meeting the identified need in the GTANA which would still remain.

Heritage Balance

47. The harm that would occur to the setting of the listed building would be limited and therefore less than substantial within the meaning of the Framework, which requires such harm to be weighed against the public benefits of the proposal. The Planning Practice Guidance says that a public benefit could be anything that delivers economic, social or environmental objectives in the Framework and that they should flow from the proposal, and should be of benefit to the public at large and not just be a private benefit.
48. There is an unmet need for gypsy and traveller sites within East Hertfordshire and the provision of three additional pitches, if not restricted to a named individual, would be a public benefit of substantial weight.
49. However, given that the location of the development would only be acceptable on the specific circumstances outlined where a family group would occupy the site, and therefore opportunities for car sharing would be available to minimise car journeys to access services, a personal permission would be reasonable in this instance. This would limit the weight that can be afforded to the benefits associated with the delivery of pitches, as these would not be available to meet the needs that have been identified within the GTANA.

50. However, having regard to the importance given in the Framework to the protection of heritage assets, the provision of three additional permanent pitches would not outweigh the limited harm to the setting of Rowney Priory.

Personal Circumstances

51. The appeal site is currently occupied by the appellant and his family. The needs of this family are currently met by the lawful use of the site. The additional pitches would be occupied by three households, comprising family members of both the appellant and his wife.
52. The appeal scheme would accommodate a further three children who are all of school age. The four households wish to have a settled base together in order that the women would be able to support each other, whilst the men are away travelling for work. In particular the appellant set out how it would improve his wife's wellbeing if support with childcare was available, especially as some of his children currently live temporarily with other family members.
53. The other three households do not currently have a settled base with two being newly formed households who are doubling up on existing sites and/or travelling between sites. The lack of a settled base has meant that the three children have not been able to attend school regularly. They are seeking to relocate to the area in order to be with their family.
54. If the appeal is dismissed, then the additional three households would probably continue living in temporary locations on the roadside and the children's welfare would be seriously disrupted. In addition, living an uncertain roadside existence would not support the children's welfare and development. Instead, an enduring settled base would enable access to education, healthcare and generally supporting the children's welfare by, for example, attending clubs, making friends and being close to family.
55. There would also be impacts for the existing household, with concerns that they would have to continue to be separated from some of their children who would have to remain living with other members of the family in Manchester due to a lack of alternative nearby family support, detrimental to the health and wellbeing of the appellant and his wife.
56. The future occupants of the proposed pitches are, as Irish Travellers, an ethnic minority, and thus have the protected characteristic of race under s149(7) of the Equality Act 2010. The proposal would meet the needs of those persons with a relevant protected characteristic, by reason of race, and so, as required by section 149(1) of the Equality Act 2010, the public sector equality duty is applicable.
57. There is therefore a need to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations. The appeal scheme would support the traditional way of life of families that have a protected characteristic and facilitate the establishment of a settled base for the appellants' families whilst they continued to pursue a nomadic lifestyle for economic purposes.
58. Aside from the best interests of the children, I attach moderate weight to the other personal circumstances as a factor in favour of the scheme.

Best Interests of the children

59. Article 3 of the United Nations Convention on the Rights of the Child requires a child's best interests to be a primary consideration. Although a primary consideration, the best interests of a child are not a determinative planning issue, but no consideration must initially be regarded as more important or, in advance of the subsequent assessment of the individual circumstances, be given greater weight.
60. Accordingly, decision-makers need to consider whether children's best interests are relevant to any planning issue under consideration. In doing so, it similarly advises they will want to ensure the approach is proportionate. Decision-makers need to consider the case before them, and need to be mindful that the best interests of a particular child will not always outweigh other considerations including those that impact negatively on the environment or the wider community.

The appeal scheme would provide a settled base for an additional 3 children, and this would be in their best interests. The children of school age have not previously attended school full time. The appellant set out that it is their wish to have a settled base for all of the children to go to school locally. They recognise the limitations of home schooling and the importance of the social aspects of school such as interacting with other children and the ability to join local clubs.

61. I accept that the best interests of the children, not currently residing on the site, would, in principle, be served by a permanent and secure home, whilst having regard to the fact that their educational needs are not currently being met by a school in the local area.
62. The merits of the case presented are such that I afford the benefits, of this development to the best interests of the children, considerable importance and weight.

Other Matters

63. I have had regard to all of the other matters raised by local interested parties, including the nature of the existing road network, the impact of increased traffic movements associated with the proposed development and the impact on neighbours and wildlife. However, there is no substantive evidence before me that there would be harm in respect of these matters, and no objection has been raised by the Council or statutory consultees in particular with regard of highway matters. Therefore, none of the matters raised provide a compelling reason why planning permission should not be granted.
64. While it is evident that the development lacks local support, my assessment of other considerations have led me to conclude that the development is acceptable, for reasons set out below.

Planning Balance

65. Notwithstanding that the scheme would be contrary to the development plan as a whole, the question remains whether there are material considerations which would warrant a decision in this instance other than in accordance with the development plan.

66. There are several points in favour of the proposal. The Council are unable to meet the accommodation needs of the three additional households wishing to locate within the District, all who meet the planning definition of Gypsies and Travellers in the PPTS. The appeal scheme would support the traditional way of life of families that have a protected characteristic.
67. The appeal scheme would facilitate the establishment of a settled base for the appellants' families whilst they continued to pursue a nomadic lifestyle for economic purposes. This would allow cultural traditions to be balanced with the practicalities of modern living thereby, advancing equality of opportunity. The unmet need for pitches also indicates inequality in housing opportunities and the proposal would help to offset this in a modest way.
68. These are important points in achieving the social sustainability sought by Paragraph 13 of the PPTS. It does not automatically follow that the appeal should be permitted because the PSED is relevant. Nonetheless, the equality implications weigh notably in favour of permitting pitches at the appeal site because dismissing the appeal would perpetuate the disadvantages currently endured.
69. The accommodation needs and personal circumstances of the intended occupiers are together, significant points in favour of the proposals. Furthermore, the best interests of 3 children is a primary consideration. All would benefit considerably from a settled base from which to gain stability and an education. There would also be social benefits to the existing 3 children with the opportunity to be part of an extended family group, which is integral to Irish Traveller culture, in order to provide mutual support and care. I have attached moderate weight to the accommodation needs and personal circumstances of the appellant's family, and considerable importance and weight to the best interests of the children.
70. I attach considerable weight to the less than substantial harm to the significance of a designated heritage asset as described, however the appeal site would afford a stable base for three households and access to education for three children who are currently unable to access education provision. There would be wider benefits for the existing household who would become part of an extended family group, with the associated benefits of mutual support and care.
71. The best interests of the child are a primary consideration and, whilst not in themselves determinative, it is established that no other factor can be given greater weight. In this case any less than substantial harm to the setting of Rowney Priory cannot carry greater weight than the best interests of the children.
72. In the overall planning balance, the best interests of the children, added to the benefits of the proposal, including that the development would provide a settled base for three households, are sufficient in this case to outweigh the heritage harm identified above.

Conditions

73. The Council has suggested conditions which I have considered against the advice in the National Planning Policy Framework and Planning Practice Guidance. As well as the standard implementation condition, I have imposed a condition to ensure that the proposal is carried out in accordance with the approved plan to provide certainty.
74. The Council have suggested that, if planning permission is to be granted, it should be subject to a condition limiting occupation of the site to Gypsies and Travellers as defined in Annex A of the PPTS. 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.
75. There is no foretelling as to whether any occupiers might be forced to cease travelling permanently during the anticipated lifetime of the permission. Imposing the suggested condition would be liable to result in unlawful discrimination, with members of the family being unable to live on this site.
76. 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.
77. To limit the visual impact the number of caravans and the size of vehicles to be kept at the site are to be restricted. For similar reasons details of landscaping, bin storage and any external lighting are also required to be submitted, agreed and implemented.
78. I have also found it necessary to impose a personal permission for the reasons I have previously outlined and therefore I have imposed a condition requiring details of the restoration of the site when the site ceases to be occupied by those named individuals.

Conclusion

79. I therefore conclude that harm I have identified to the setting of Rowney Priory is outweighed by other material considerations including the personal circumstances of the proposed occupiers of the site. Therefore, the development accords with the Framework and the PPTS in terms of heritage impacts and the provision of gypsy and traveller sites.
80. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

G Pannell

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr & Mrs J Cash
Philip Brown, BA Hons, P Brown Associates

FOR THE LOCAL PLANNING AUTHORITY:

Annabel Graham Paul, Barrister Francis Taylor Building
Emily Temple BSc (Hons) MSc MRTPI, ET Planning
Steve Jarman BSc (Hons) DipTP, Opinion Research Services
Kay Mead BA (Hons), Dip, MRTPI, East Herts District Council
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Ciaran MacCullagh MA MSc IHBC, East Herts District Council
Rachael Collard MA, BA (Hons), East Herts District Council

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Loc 1 Location Plan 1:1250
 - PBA1 Rev B Site Layout Plan
 - Plan 1 Front Elevation
 - Plan 2 Rear Elevation
 - Plan 3 Side Elevation
 - Plan 4 Proposed Amenity Block
- 3) 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.
- 4) No more than 6 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than 4 shall be static caravans) shall be stationed on the site at any time.
- 5) The occupation of the site hereby permitted shall be carried on only by the following and their resident dependants:
 - Mr John Cash
 - Mrs Julie Cash
 - Mr Jason Collins
 - Mrs Kathleen Collins
 - Mr Patrick Connors
 - Mrs Kathleen Connors
 - Mr John Doran
 - Miss Margaret Cash
- 6) When the land ceases to be occupied by those named in condition 5 above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to or erected on the land, and/or works undertaken to it in connection with the use, shall be removed and the land shall be restored in accordance with the details agreed under condition 8.

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- 7) Only one static caravan and one mobile home shall be brought onto the site until details of a scheme for the means of foul and surface water drainage of the site; the layout of the site (including any amenity areas); parking; soft landscaping to include details of species, plant sizes, proposed numbers and densities; boundary treatment, refuse arrangements, external lighting, access to mains utility services shall have been submitted to and approved in writing by the local planning authority. These details shall include an implementation programme. The development shall be carried out in accordance with the approved details.
- 8) No development shall take place until details of a scheme to restore the land to its condition before the development took place (or such other restoration as agreed in writing by the local planning authority). These details shall include an implementation programme. The restoration works shall be carried out in accordance with the approved details.
- 9) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following any additional caravans being brought onto the site; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 10) No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.
- 11) No commercial activities shall take place on the land, including the storage of materials.

-END-