



Appeal Decision

Hearing held on 25 September 2024

Site visit made on 25 September 2024

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2024

APP/N0410/W/22/3302679

Land to the north of Bellswood Lane, Iver, Buckinghamshire, SL0 0LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr Joseph Smith against the decision of Buckinghamshire Council.
 - The application Ref PL/20/3455/FA, dated 15 October 2020, was refused by notice dated 29 March 2022.
 - The development proposed is the use of the land for stationing of caravans for residential purposes, together with the formation of a hardstanding and a utility/day room ancillary to that use.
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Decision

1. The appeal is allowed and planning permission is granted for the use of the land for stationing of caravans for residential purposes, together with the formation of a hardstanding and a utility/day room ancillary to that use at Land to the north of Bellswood Lane, Iver, Buckinghamshire, SL0 0LU, in accordance with the terms of the application Ref PL/20/3455/FA, dated 15 October 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The Government consulted on reforms to the National Planning Policy Framework 2023 (the Framework) on 30 July 2024 (Consultation Draft Framework). The consultation closes on 24 September 2024. I afford the Consultation Draft Framework limited weight in decision making terms as a material planning consideration. Considering the deemed planning application main issues below, there are no proposed reforms in the Consultation Draft Framework which have a material bearing on how this appeal should be considered. In this regard, it has not been necessary for me to seek comments from the main parties in respect of the Consultation Draft Framework.
3. Following discussions at the hearing, including an updated witness statement from the appellant's daughter about an additional child living on the site, the Council confirmed that based on this, coupled with other information submitted as part of the appeal and that was not before it when it made its decision to refuse planning permission, it would now be minded to approve permanent planning permission for the proposed development subject to the imposition of conditions.

4. At the same hearing, the Council decided to withdraw an enforcement notice relating to the unauthorised use of the same site as a residential caravan site. This followed discussions about land ownership and an appeal made under section 174(2)(e) of the Act. As the enforcement notice has been withdrawn, it is no longer necessary for me to consider the associated enforcement notice appeal¹.
5. The land is already being used as a residential caravan site, albeit that the layout of the site differs from that shown on the submitted plans for this appeal. There are some buildings/structures which are not included in the submitted plans. The site includes gates that have been erected at the front of the site. These gates do not form part of the planning application that is the subject of this appeal.

Main Issues

6. The appeal site falls within land designated as Green Belt. The main issues are: -
 - whether the proposal is inappropriate development in the Green Belt including its effect on the openness and purposes of Green Belt,
 - whether the site is sustainably located,
 - the effect of the development on the character and appearance of the area, including landscape character,
 - the effect of the development on biodiversity, and
 - whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development in the Green Belt

7. There is no dispute between the main parties that the proposal amounts to inappropriate development in the Green Belt. The Government's Planning Policy for Traveller Sites 2015 (PPTS) states, at paragraph 16, that Traveller sites (temporary or permanent) in the Green Belt are inappropriate development.
8. Paragraphs 152 and 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any harm caused to it. This is a matter that weighs against allowing the appeal and, in this regard, I find that there is conflict with the PPTS and the Framework. In respect of this matter, there is also conflict with policy GB1 of the South Bucks District Local Plan 1999 (LP) although this policy is out of date in so far that it is not fully in accordance with the Green Belt wording and exceptions outlined in paragraphs 154 and 155 of the Framework. Therefore, I afford only moderate adverse weight to the conflict with policy GB1 of the LP.

¹ Appeal reference APP/N0410/C/22/3302672

Openness and purposes of the Green Belt

9. The development would cause some harm to the openness of the Green Belt in spatial terms. Indeed, the evidence is that prior to the unauthorised development taking place, the site *'comprised an open green expanse free from any physical development'*. The mobile homes and utility/day room building would essentially be permanent fixtures on the site. I acknowledge that the touring caravans and parking of vehicles would be intermittent uses of the land. However, when considered against the mobile homes, utility/day room building and bin store, I find that the development would result in a moderately adverse impact on the openness of the Green Belt in spatial terms.
10. The Courts have held that openness can also have a visual dimension. The appeal site is set back from Bellswood Lane. While it may be possible to see the roofs of the proposed mobile homes from Bellswood Lane and, in particular, from views across the relatively open front and side outside amenity space associated with Orchard Bungalow, it is nevertheless the case that the appeal site is positioned between existing buildings and is largely screened from public views owing to the existence of mature trees and vegetation fronting Bellswood Lane. In this regard, I find that the development would have a limited adverse impact on the openness of the Green Belt in visual terms. Overall, I find that the development would cause moderate harm to the openness of the Green Belt.
11. In addition to the moderate adverse harm caused to the openness of the Green Belt, I find that the development would conflict with one of the Green Belt purposes, i.e., to assist in safeguarding the countryside from encroachment. Indeed, the appeal development includes gravel hardstanding, the stationing of static and touring caravans and a utility/day room building.
12. The evidence is that the appeal site was previously devoid of built form and there was no hardstanding. In this regard, I find that the development would encroach into the otherwise more open and undeveloped countryside around the existing cluster of buildings in this area. However, I find that the extent of countryside encroachment would be limited because the site is close to existing built development and because it is not very conspicuous from public views owing to the presence of surrounding buildings and frontage landscaping. Overall, I conclude that there would be some limited conflict with paragraph 143(c) of the Framework.

Sustainable location

13. Following discussion at the hearing, the Council acknowledged, on reflection, that the site was in fact in a sustainable location. It was agreed that the proposal should be considered against the requirements of Core Policy 4 of the South Bucks Local Development Framework Core Strategy DPD 2011 (CS).
14. While Core Policy 4 of the CS is an out-of-date policy, for reasons explained later in this Decision, it nonetheless remains in place as a development plan policy and so it is necessary that I consider the planning application against its specific requirements. It specifically states that Gypsy, Traveller and Travelling Show People sites should *'have good access to local services, including health services, shops, education and other community facilities.'* The policy does not impose a restriction on how far a Gypsy and Traveller site is from sustainable modes of transport or facilities, and instead its focus is on *'good access to local*

services'. It was agreed at the hearing that there was good access to the settlement of Iver (described by the Council at the hearing as a sustainable settlement) and where there are a range of day-to-day facilities and services. I therefore find no conflict with Core Policy 4 of the CS.

15. I have also considered the proposal against the PPTS which does not specifically include reference to distance from or means of transport to shops and services. The PPTS states, at paragraph 4, that the Government's aim is to enable provision of suitable accommodation from which *'travellers can access education, health, welfare and employment infrastructure'*. The evidence does not indicate that such access would not be available for occupiers of the appeal site. Overall, and, when all matters are considered in the round, I conclude that the land is a sustainably located for use as a Gypsy and Traveller site.
16. I acknowledged that the relatively short length of Bellswood Lane to Wood Lane is unlit and is devoid of footpaths. Hence, this would likely prevent walking to Langley Park Road, via Wood Lane, on a very regular basis particular at night, or when there is inclement weather. Nonetheless, it is possible that either the adults or the family collectively may choose to occasionally walk the relatively short stretch of Bellswood Lane and into Wood Lane/Langley Park Road. The latter roads include footpaths.
17. On my site visit, I was also able to experience road conditions from the site to Iver. Traffic speeds were relatively low, and the route was not problematic. I noticed a few cyclists in the area and do not doubt that the occupiers of the site may occasionally choose to cycle to Iver.
18. The evidence is that Langley Park Road, which is about 1.2 km from the site, has a bus service (No 3) which runs frequently to settlements such as Iver and Langley. It is noteworthy that there is also a train station in Iver and the No. 3 bus service goes to it every 30 minutes. There is also a train station in Langley which is not a significant distance from the appeal site.
19. I have considered the distances to nearby settlements, coupled with the road conditions, and find that cycling to train stations and/or nearby settlements where there are a good level of amenities and services, either directly or in combination with the use of the No. 3 bus service, would be likely on occasion.
20. Notwithstanding the policy position outlined above, I find, in any event, that there are reasonable opportunities available for occupiers of the appeal site to undertake day-to-day trips by means other than the private motor vehicle. I accept that it is likely that a high number of trips would likely be made in the private motor vehicle, but nonetheless, and given the proximity of the site to amenities and services, and the frequency of a nearby bus service and existence of train stations, I do not consider that it could reasonably be said that the site was not sustainably located. In reaching this finding, I have considered the flexibility advocated by paragraph 105 of the Framework which states that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'*.
21. I conclude that the appeal land is sustainably located for use as a Gypsy and Traveller site, and, in this regard, find that there is no conflict with the requirements of Core Policy 4 of the CS, the PPTS or the Framework.

Character and appearance

22. The evidence is that the appeal site was previously devoid of built form. It is acknowledged that it is in an area which has a more rural character than surrounding settlements. Nonetheless, it is sandwiched between existing development at Orchard Bungalow and Bellswood Farm (including also a recently built stables building to the northwest). In addition, there is development opposite the appeal site and on the other side of Bellswood Lane. To the passer-by the appeal site is not therefore appreciated as being in a remote location and where there is an absence of other buildings or development.
23. The site context is such that while the appeal development would be seen from glimpsed views from parts of Bellswood Lane, it is nonetheless set back from the highway and juxtaposed with existing built form and set against mature landscaping on Bellswood Lane. In this regard and noting the provision of development on a site which was previously undeveloped, I nonetheless do not find that material harm would be caused to the landscape character of the area. To an extent the local planning authority appears to share this view in so far that it states in its officer report, *'the site can be viewed from some public vantage points, however the development is set back from the carriageway and is well screened by shrubs and trees'*.
24. The mobile homes have a different character and appearance to the more traditional dwellinghouses on Bellswood Lane. Nonetheless, owing to the proposed scale and position of the mobile homes, touring caravans, and utility/day room building, they would not appear dominant or incongruous in the street-scene or landscape setting. I consider that the site is of a sufficient size to accommodate two Gypsy/Traveller pitches and, in this regard, do not agree with the initial view of the local planning authority that the appeal development would be experienced as a *'visual cluttering'* of the site.
25. There are opportunities to further soften the impacts of the development by new landscaping. This was discussed at the hearing including opportunities to soften the development from oblique views from Bellswood Lane over land at Orchard Bungalow by the planting of perimeter trees and/or hedges. The appellant confirmed at the hearing that this had always been his intention, but that he had not proceeded with such planting owing to the Council taking enforcement action. Perimeter planting is a matter that could be dealt with by a planning condition.
26. Subject to a landscaping condition, I conclude that harm would not be caused to the character and appearance of the area, including to landscape character. In this regard, I conclude that the proposal would not conflict with the design, character and appearance requirements of Core Policy 4 and Core Policy 9 of the CS, and chapter 12 of the Framework. This appears also to be the common ground position adopted by the main parties. Indeed, the signed and dated statement of common ground states that it is agreed between the main parties that *'the development does not have a harmful effect on the character of the surrounding area'* and *'the development only causes minimal effect on appearance of the local area and any impact can be fully mitigated with appropriate landscaping'*.

Biodiversity

27. The local planning authority raised some concern about the lack of information at planning application stage relating to the effect of the development on biodiversity. The appellant has now submitted a Preliminary Ecological Appraisal Report dated September 2022 and prepared by RSK Biocensus (PEAR Report). The local planning authority does not dispute the findings of the PEAR Report which is that the predevelopment habitats on site were of low ecological value and were not suitable for any protected or notable species except for some limited potential foraging for badgers and hedgehogs.
28. While there is no evidence of any protected species being on the site, the PEAR Report nevertheless recommends biodiversity enhancement on the site to include native landscaping to provide suitable habitat for nesting birds and commuting corridors for bats and hedgehogs; the installation of nest boxes; the creation of log piles to provide suitable habitat for sheltering reptiles and hedgehogs; and the creation of hedgehog holes in the boundary fencing to make the site permeable to hedgehogs and common reptiles.
29. The main parties agree that biodiversity enhancement, in accordance with the PEAR Report, could be achieved by way of the imposition of a planning condition. I do not disagree with this common ground position. Consequently, I conclude that the proposed development accords with the biodiversity requirements of Core Policy 9 of the CS and paragraph 174(d) of the Framework.

Other Considerations

Gypsy/Traveller status and occupation of previous site

30. The evidence is that the two male adults on the site travel for work in association with a landscaping/gardening business owned by the appellant. The updated witness statements of the appellant and his daughter explain that the two families attend Gypsy and Traveller fairs in the summer months.
31. Before moving to the appeal site, it is understood that occupiers of the appeal site were living on a caravan site at Woburn Abbey. The evidence is that this site is now being run by a relative of the appellant's wife. The evidence is that the families vacated this site following threats, intimidation and the risk of belongings being stolen. I have no reason to doubt what happened on the previous site and that the incidents caused both distress and anxiety for some of the occupiers of the appeal site.
32. On the evidence that is before me, I find that the two families are Gypsies/Travellers in respect of the definition in annex 1 of the PPTS. This is now a common ground position amongst the main parties following the signing of the statement of common ground. Consequently, I have had regard to Article 8 of the European Convention on Human Rights, as incorporated into the Human Rights Act 1998, which states that everyone has a right to respect for private and family life, their home and correspondence. This is a qualified right, whereby interference may be justified in the public interest, but the concept of proportionality is crucial.
33. I afford positive weight to the fact that continued use of the land as a residential caravan site would enable the appellant and his family to live a nomadic lifestyle in accordance with their culture and values.

Need/Supply of Gypsy/Traveller Sites

34. The most up to date evidence in terms of the need for Gypsy and Traveller pitches in the area is contained within the Aylesbury, Chiltern, South Bucks and Wycombe Gypsy, Travellers and Travelling Showpeople Accommodation Needs Assessment 2017 (2017 GTAA). The total need for the 'South Bucks' area, including 'unknown' and 'non-travelling' Gypsy and Traveller is 70 pitches between 2016 and 2036 with an immediate need for 37 pitches between 2016-21, 10 pitches between 2021-2026, 11 pitches between 2026-31 and 12 pitches between 2031-36.
35. There is no dispute between the parties that Policy CP4 of the CS is not up to date. Indeed, the evidence base upon which it relies for the plan period up to 2026 is based on the out-of-date 2006 Gypsy and Traveller Accommodation Assessment. The evidence is that since the 2017 GTAA was published, only four pitches have been approved in the South Bucks area. It was agreed at the hearing that the 2017 GTAA needed updating and that it could no longer be relied upon as an objective measure of an up-to-date need for Gypsy and Traveller pitches.
36. There is no dispute between the parties that the local planning authority cannot demonstrate a five-year supply of deliverable Gypsy and Traveller sites. In the context of Policy CP4 of the CS, I find that there is a failure of policy in terms of addressing the need for Gypsy and Traveller pitches in the area. Collectively, the above are material planning considerations which weigh positively in favour of allowing the appeal. Indeed, the provision of two pitches on the appeal site would go some way towards addressing the undersupply and unmet Gypsy/Traveller pitch need position in the area.

Development plan review position and likely location of allocated sites

37. As detailed above, Gypsy and Traveller pitch need has changed since the adoption of the CS. A new strategy is now needed to address the up-to-date position and the evidence is that a new development plan is only in the very early stages of being prepared.
38. The evidence indicates that a new development plan that includes a strategy to address the most up to date position relating to Gypsy and Traveller need will not be adopted until 2027. I do not know if there has been some slippage already in terms of the anticipated 2027 development plan adoption date. That does remain possible but, in any event, it would be several years until there is some certainty for the occupiers of the site in terms of the extent of need and, importantly, how, where and when new Gypsy and Traveller pitches would be provided/allocated to meet that need.
39. The appellant asserts that 87% of the South Bucks District area is in the Green Belt and consequently that there is a high likelihood that new Gypsy/Traveller pitches would need to be in the Green Belt in terms of future development plan allocations. As outlined by the Council at the hearing, South Bucks District Council no longer exists and instead a larger unitary authority has been formed known as Buckinghamshire Council. When this larger administrative area is considered, I have no reason to doubt the Council's claim that only '*about 30% of Buckinghamshire is in Green Belt*'. Indeed, I heard from the Council that large parts of the north of the administrative area of Buckinghamshire Council are not in Green Belt or in an area designated as a National Landscape.

40. I do not therefore find that there is necessarily a very high probability of Gypsy and Traveller sites being allocated in the Green Belt as part of a new development plan. In any event, it would be clearly inappropriate for me to pre-judge the development plan review process as I do not know the true extent of possible available sites outside the Green Belt or in settlements. Furthermore, while there may be some probability of sites being allocated for Gypsy/Traveller pitches in the Green Belt, I cannot be certain, even if the appeal site were to be considered for allocation, if it would rank amongst being one of the most suitable when all planning matters are considered in the round. Therefore, I do not afford the appellant's assertion that the site would likely be allocated as a Gypsy and Traveller site any significant weight in the planning balance.

Availability of alternative Gypsy and Traveller sites

41. The local planning authority accepts that it cannot currently identify any suitable and available alternative Gypsy and Traveller pitches in the area to accommodate occupiers of the appeal land. In addition, I have no reason to doubt the difficulties faced by some of the occupiers of the appeal site in terms of the occupation of the residential caravan site at Woburn Abbey. Given the history of occupation on this site, I do not find that use of pitches on this site would be suitable for the families, even if they were to be available.
42. The current lack of suitable and available alternative pitches in the area is a matter which weighs heavily in favour of allowing the appeal.

Health care provision and church attendance

43. I note that the occupiers of the site are registered at Iver health centre. This provides some stability and certainty for occupants of the site in terms of health care. I afford this matter positive weight in favour of allowing the appeal.
44. In addition to the above, it is noteworthy that the appellant attends a local church and is part of the congregation. I do not doubt that a settled base for the appellant would enable him to continue to worship at his local church in conjunction with his home life. This is a matter which also weighs in favour of allowing the appeal.

Other personal circumstances

45. The evidence is that one senior member of the wider family lives in Langley. Owing to his old age, the evidence is that he relies on general day-to-day support from occupiers of the appeal site. In this regard, I afford some positive weight to the fact that the appeal site is close to Langley and hence that the respective family units can co-exist near to one another and hence function in a mutually supportive manner.
46. While there is no objective evidence that any of the occupiers of the appeal site have a defined disability, I am nonetheless mindful of the psychological effects of the events that took place in respect of the appellant and his wife when they occupied the caravan site at Woburn Abbey. In this regard, I do not doubt that the continued occupation of the appeal site would provide a stable, secure, and peaceful living environment in relative terms. This is a matter to which I afford some positive weight in the planning balance.

Best interests of the children

47. Article 3(1) of the United Nations Convention on the Rights of the Child provides that the best interests of the child shall be a primary consideration in all actions by public authorities concerning children.
48. The evidence is that there are now four children on the appeal site. When planning permission was refused there were only three children. The evidence is that three of the children attend a local school. There is stability for them from an education and emotional well-being point of view. This same level of stability and security would unlikely be possible from a roadside existence. These matters weigh very heavily in favour of allowing the appeal.

Other Matters

49. I have considered representations made by other interested parties. This includes the occupiers of Orchard Bungalow and 2 Orchard View.
50. I acknowledge that use of the land as a Gypsy and Traveller residential caravan site would lead to increased comings and goings. However, I do not find that the level of comings and goings from the proposed residential use would be such that it would have a materially adverse impact on the occupiers of neighbouring properties in terms of noise and disturbance. I find that use of the land as a residential caravan site is compatible with the use of neighbouring residential land.
51. Moreover, I have considered the height and position of the proposed mobile homes, touring caravans, and utility/day building. In this regard, I do not find that material harm would be caused to the occupiers of neighbouring properties in respect of outlook, light, or privacy.
52. None of the other matters raised alter or outweigh my conclusion below.

Planning Balance and Conclusion

53. I have concluded that the site is sustainably located. Furthermore, and, subject to the imposition of a planning condition relating to landscaping, I have found that the appeal development would not cause harm to the character and appearance of the area, including to landscape character. These are matters of neutral consequence in the overall planning balance.
54. I have concluded that the appeal development would amount to inappropriate development in the Green Belt. Moderate harm would be caused to the openness of the Green Belt, and I have found that limited harm would be caused to one of the purposes of the Green Belt. The collective harm caused to the Green Belt is a matter to which I afford substantial adverse weight in decision making terms.
55. Weighed against the above harm, are the other identified considerations. While I have found that the local planning authority cannot demonstrate a deliverable five year supply of Gypsy and Traveller sites, and there is unmet need for Gypsy and Traveller pitches in the area, paragraph 16 of the PPTS states that *'subject to the best interests of the child, personal circumstances and unmet need 'is unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances'*.

56. On balance, I find that the collective harm caused to the Green Belt is clearly outweighed by the other identified considerations, including the best interests of the children which is a primary consideration, so as to amount to the very special circumstances necessary to justify the development on a permanent basis. This is indeed the position now reached by the Council as it was confirmed at the hearing that if it had been presented with the same evidence at planning application determination stage, it would have approved planning permission on a permanent basis. I therefore conclude that the appeal should be allowed.

Conditions

57. The conditions set out in the accompanying schedule have been agreed by the main parties.
58. In the interests of certainty and, for the avoidance of doubt, it is necessary to impose a drawings condition.
59. Given the on-balance decision to grant permanent planning permission, which includes the consideration of the personal circumstances of the occupiers of the site, it is necessary to impose a personal planning condition.
60. In the interests of the character and appearance of the area, and to ensure that there are acceptable living conditions for occupiers of the land, it is necessary to restrict the number of caravans on the land and to prohibit the parking or storage of any vehicle over 3.5 tonnes.
61. It is necessary to include a condition relating to external lighting, in the interests of the character and appearance of the area and the living conditions of the occupiers of neighbouring residential properties.
62. As the land is already in use as a residential caravan site, and hence the proposal is retrospective in this regard, it is necessary to impose a condition requiring the submission of a scheme to address foul/surface water drainage, general layout matters, boundary treatment and landscape/ecological enhancement.

Overall Conclusion

63. For the reasons outlined above, I conclude that the appeal should be allowed.

D Hartley

INSPECTOR

Schedule of Conditions

1)The use hereby permitted shall be carried on only by the following:

- Mr Joseph and Mrs Marie Smith
- Lisa-Marie Smith and Mr Timothy Goddard
- any resident dependants.

2)When the land ceases, to be occupied by those named in condition 1) above, the mobile homes, touring caravans, utility/day room, structures, materials, and equipment brought onto the land, or works undertaken in connection with the use, shall be removed and the land restored to its condition before the development took place.

3)The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan drawing No. 20_1094_001 KL; Existing site plan drawing No. 20_1094_002; Proposed block plan drawing No. 20_1094_003, and Utility/Day Room drawing No. 20_1094_005.

4)No more than four 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 two shall be a static caravan/mobile home) shall be stationed on the land at any time.

5)No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.

6)There shall be no external lighting on the land other than in accordance with details that shall have first been submitted to and approved in writing by the local planning authority.

7)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 60 days of the date of failure to meet any one of the requirements set out in i) to v) below:

- (i) Within three months of the date of this permission a scheme for foul and surface water drainage, to include implementation, serving the site shall be submitted to the Local Planning Authority for approval.
- (ii) Within three months of the date of this permission a scheme, to include implementation and maintenance, for the layout of the site, the boundary

treatment of the site to include any entrance gates, and of landscape/ecological enhancement within the site shall be submitted to the Local Planning Authority for approval.

- (iii) 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;
- (iv) If an appeal is made in pursuance of iii) above, that appeal shall have been finally determined and the submitted schemes shall have been approved by the Secretary of State.
- (v) 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 be retained and maintained in accordance with the approved details.

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

APPEARANCES

FOR THE APPELLANT:

Matthew Green, Director of Green Planning Studio Limited

Mr Joseph Smith

Ms Lisa-Marie Smith

FOR THE LOCAL PLANNING AUTHORITY:

Mohammed Nadeem, Planning Enforcement Officer

Emily Brown, Senior Planning Policy Officer

Helen Harding, Principal Planning Policy Officer

Stephanie Penney, Enforcement Team Leader

OTHER INTERESTED PARTIES:

None

DOCUMENTS SUBMITTED AT THE HEARING

1) Witness statement of Lisa-Marie Smith

2) Witness statement of Mr Joseph Smith