



Appeal Decisions

Hearing held on 8 and 9 October 2024

Site visit made on 9 October 2024

by Diane Lewis BA(Hons) MCD MA LLM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 December 2024

Appeal Ref: APP/P0240/C/19/3221147 (Appeal A)

Appeal Ref: APP/P0240/C/19/3221287 (Appeal B)

Land at Plots 1 and 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
- Appeal A is made by Mr Patrick Stokes and Appeal B is made by Mr James Mongan against an enforcement notice issued by Central Bedfordshire Council.
- The enforcement notice, numbered CB/ENC/18/0254, was issued on 19 December 2018.
- The breach of planning control as alleged in the notice is failure to comply with conditions 1 and 2 imposed on a planning permission ref SB/TP/04/1372 dated 16 December 2004.
- The development to which permission ref SB/TP/04/1372 relates is:
Continued use of land for the stationing of two mobile homes and two touring caravans on permanent basis.
- Condition 1 states: This permission shall extend only to the use of the site as a caravan site for the accommodation of gypsies as defined in section 24(8) of the Caravan Sites and Control of Development Act 1960 or any act revoking or re-enacting that Act.
- The notice alleges that condition 1 has not been complied with in that caravans on the Land are occupied by persons who do not meet the definition of Gypsies and Travellers as defined in section 24(8) of the Caravan Sites and Control of Development Act 1960 as amended.
- Condition 2 states: This permission shall extend only to the use of the land as a gypsy caravan site for the stationing of not more than two mobile homes and two touring caravans and the parking of associated vehicles.
- The notice alleges that condition 2 has not been complied with in that there are more than two caravans on the land shown edged in red on the attached plan.
- The notice also alleges: Without planning permission the use of a former dayroom building shown marked in red on Plot 1 as an independent residential dwelling and occupation by persons who do not meet the definition of Gypsies and Travellers as defined in annexe 1 of the Planning Policy for Traveller Sites 2012.
- The requirements of the notice are:
 1. You must comply with condition 1 by ceasing the occupation of the Land by persons who do not meet the definition of Gypsies and Travellers as defined in annexe 1 of the Planning Policy for Traveller Sites 2012, which stated '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 permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'
 2. You must comply with condition 2 by ceasing the use of the Land for the residential use or storage of caravans in excess of two mobile homes and two touring caravans.

3. The following caravans shall be removed from the following plots within the Land and as edged in red and identified as the named plot: Plot one all caravans in excess of two including no more than one static. Plot two all caravans in excess of two including no more than one static.
 4. You must cease the occupation for independent residential purposes of the building marked in red on Plot one.
- The period for compliance with the requirements is six months.
 - Appeal A was made on the grounds set out in section 174(2)(a), (b), (c), (d), (e), (f) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
 - Appeal B was made on the grounds set out in section 174(2)(a), (b), (c), (d), (e), (f) and (g) of the Act. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act have lapsed.

Summary of Decisions: The enforcement notice is upheld with corrections and variations, as set out below in the Formal Decisions.

Preliminary Matters

1. The Council issued three enforcement notices on 19 December 2018, in relation to Plots 1 and 2 The Stables, Plots 3 to 10 The Stables and Land at Greenacres. The three sites are located close together and the alleged breaches of planning control were similar in terms of non-compliance with conditions controlling occupation and the number and type of caravans. The Council reported 146 caravans on the three sites in March 2019, whereas the authorised total is 46 caravans. The number had reduced to 97 caravans by May 2024. A total of 17 appeals were made against the three notices. All appeals were linked in order that they could be determined together.
2. The appeals were held in abeyance pending the determination of a planning application made by Central Bedfordshire Council in May 2020 (ref CB/20/01719/REG3) for "Continued use of the land for the stationing of 77 caravans (67 statics and 10 tourers) for Gypsies and Travellers, retention of two buildings for unrestricted C3 (residential) use together with the addition of a landscape buffer and associated development including drainage works, access road and fencing" (the Regulation 3 application). The application covered all three appeal sites and an additional strip of land owned by the Council approximately 12 metres in width running along the northern and eastern boundaries of the sites. The proposal would result in an increase of 31 caravans across the site (46 to 77). The number of plots would increase by 2, both on the Greenacres site.
3. In October 2021 the Council resolved to grant planning permission for the development proposed in the Regulation 3 application, subject to completion of a section 106 agreement and the receipt of a positive consultation response from National Grid (National Gas Transmissions). In January 2023 confirmation was received the application would not be recovered for determination by the Secretary of State (having been referred on 25 July 2022). A year or so later outstanding matters were not resolved and the appeals were taken out of abeyance.
4. At the beginning of 2024 the appeals were programmed to be heard at an inquiry in October 2024. A case management conference (CMC) was held on 22 March 2024 to discuss appeal management, arrangements and programme for the inquiry and expectations on all participants. In July the procedure for

determining the appeals was changed to a hearing, which was held on 8 and 9 October 2024. Time was allowed after the oral proceedings for the section 106 agreements to be finalised.

5. Three signed section 106 agreements, dated 22 October 2024, were submitted within the agreed timescale. The deeds include obligations regarding surface and foul water drainage and contributions towards the mitigation strategy for Chilterns Beechwoods Special Area of Conservation (the SAC). The hearing was closed in writing on 11 November 2024. Then, following the issue of an appeal decision on 11 November concerning a Traveller site in the District, the main parties were given the opportunity to comment in view of the Inspector's conclusions on the need for sites.
6. This decision letter is specific to the enforcement notice and two appeals at Plots 1-2 The Stables. The notice and related appeals for Plots 3 to 10 The Stables and for the Greenacres site are the subject of separate decision letters. In the reasoning there will be some repetition where there are issues common to all appeals.

Grounds of Appeal

7. Appeals A and B were made on all grounds. The updated grounds of appeal submitted on 22 March 2024 confirmed the ground (e) appeals were withdrawn. Subsequently the appellants confirmed grounds (b), (c) and (d) were not being pursued. That being so, the appellants accept the alleged failure to comply with conditions 1 and 2 occurred as a matter of fact, and the non-compliance amounts to a breach of planning control that is not immune from enforcement action. The appellants acknowledged the number of caravans on the two plots had fluctuated from 4 in 2002 to 21 in 2017.
8. As a result of the amended grounds of appeal, Appeal A has proceeded on grounds (a), (f) and (g) and Appeal B has proceeded on grounds (f) and (g). Matters to do with the validity of the enforcement notice were raised by the appellants and the Council challenged the validity of the appeals.
9. Decisions on the grounds of appeal must comply with the principles and duties derived from human rights and equality legislation.

The Appellants

10. Section 174(1) of the Act states that a person having an interest in the land to which an enforcement notice relates or a relevant occupier may appeal to the Secretary of State against an enforcement notice, whether or not a copy of it has been served on the person. Section 171(6) states that a 'relevant occupier' means a person who on the date on which the enforcement notice is issued occupies the land to which the enforcement notice relates by virtue of a licence and continues so to occupy the land when the appeal is brought.
11. The Council did not question the standing of the appellants in their first statement of case (August 2019). In their February 2024 response to my Note on all the appeals the Council stated that to their knowledge several of the original appellants no longer occupied or have an interest in the site. The Council also raised the matter of standing in relation to the appeals across all three sites in a position statement prepared in March 2024. The matter was brought up at the CMC and the appellants were invited to address the Council's points on validity and standing when confirming current ownership and

occupation in future written submissions. The Council's statements of case submitted on 5 July and 16 September 2024 asked that all the appellants substantiate their claims to have standing to pursue the appeals.

12. This summary shows that once the appeals were out of abeyance the Council expressed a general concern over standing, although these concerns were not supported with specific evidence for a particular plot. My initial understanding of their point was that ownership and/or occupation of plots had changed since the appeals were made, rather than appellants did not own or occupy the plots in January 2019. The Council's case was clarified at the hearing. Documentation was produced on day 2 solely in relation to one appeal against the enforcement notice for Plots 1 and 2 on The Stables site. The Council, relying on Land Registry information, submitted Mr Patrick Stokes did not have standing to appeal because he did not have a registered interest in the land at the critical date, namely the date when the appeal was brought.
13. The appellants' agent stated at the hearing that both appellants were owners at the time the appeal was made. The appellants had given no instructions to withdraw their appeals. Even though land had been changing hands between family members, people retained an interest in the land. Plots 1 and 2 are now owned by Kingsmen Group Limited and Mr Stokes is part of Kingsmen¹. Family members live there but that does not mean the original appellants have disposed of their interest.
14. The Council confirmed they served a copy of the notice for Plots 1-2 The Stables on A1 Renovations UK Ltd, Mrs E Doe, and The Owner/Occupier (all caravans then on the site and plot post boxes).
15. The appeal form received on 24 January 2019 named Mr Patrick Stokes as the appellant, indicated the appellant's interest in the land was as owner and that the address of the affected land was not the same as the appellant's address. The Planning Inspectorate confirmed the appeal was valid by letter dated 8 April 2019. The Planning Inspectorate in a separate letter dated 8 April 2019 confirmed the local planning authority had received payment for the ground (a) appeal (reference APP/P0240/C/19/3221147) from Mr Patrick Stokes and that the appeal would continue on grounds (a), (b), (c), (d), (e), (f) and (g).
16. In their February 2024 response the Council made observations on Plots 1 and 2 to the effect that Mr Patrick Stokes did not occupy either plot. He was understood to have sold his ownership of Plot 1 where he was previously the landlord. The Land Registry still showed his ownership of Plot 1 belonging to his company A1 Renovations Ltd of which he was a Director.
17. One of the Land Registry documents submitted at the hearing shows that A1 Renovations Ltd was a proprietor of Plot 1 on 14 June 2018. The probability is that A1 Renovations Ltd had an interest in the land on the relevant date and the appellant was involved with or controlled the company. The Council submitted that was not sufficient to give him standing because the corporate veil should not be pierced. I agree that where land is owned by a company it is the company, not a named director(s) that has the right of appeal and the appeal should proceed in the company name. Nevertheless, natural justice must be upheld in the process. In the circumstances, where there is evidence to indicate residents and those involved with the appeal sites have had little

¹ It was explained that Kingsmen is a small group of travellers who have pooled resources.

knowledge of procedural requirements, I find it understandable that an individual's name and not the company name was given in good faith.

18. I conclude the appeal was rightly accepted as being validly made.

Enforcement Notice

19. On appeal an Inspector may correct any defect, error or misdescription in the enforcement notice or vary the terms of the enforcement notice, if satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority (section 176(1) of the 1990 Act).
20. After the appeal was taken out of abeyance the Council proposed corrections to the enforcement notice, as detailed on an annotated version of the document. This did not amount to a re-issue of the notice. Any corrections to the notice would result from the appeal decision.
21. The Land to which the enforcement notice relates is shown outlined in blue on the plan attached to the notice. The Land extends over Plots 1 to 10 The Stables. At the hearing the Council confirmed the notice only relates to Plots 1 and 2 and a corrected plan was submitted showing the area of the site granted permission in December 2004 (ref SB/TP/04/1372).
22. The enforcement notice states in section 1 that there appears to have been a breach of planning control under paragraph (b) of section 171A(1) – failing to comply with any condition or limitation subject to which planning permission has been granted. However, section 3 of the notice alleges two unauthorised types of development – non-compliance with conditions 1 and 2 of planning permission SB/TP/04/1372 dated 16 December 2004 and use of a former dayroom as an independent residential dwelling. The material change of use would amount to carrying out of development without the required planning permission and fall under paragraph (a) of section 171A(1).
23. The Council confirmed in writing in February 2024 they were no longer seeking to enforce against the use of the former dayroom because the breach of planning control was immune from enforcement action before the notice was issued. It follows that the notice should be corrected to delete the relevant paragraph from the allegation and the associated requirement 5.4 from section 5 of the notice. For consistency, the four year time period and references to use of a building should be deleted from the Reasons for issuing the notice and the red annotation removed from the notice plan.
24. I am satisfied these corrections to the wording of the notice and the notice plan may be made without causing injustice to either the appellants or the local planning authority.

Planning history

25. Plots 1 and 2 were the first established plots of The Stables development. The original planning permission was granted on appeal for the temporary use for three years of the site for the stationing of two mobile homes and two touring caravans (ref SB/TP/97/0802)². In September 2002 permission was granted for a further temporary period to allow the continued use of land for the stationing of two mobile homes and two tourers until 31 August 2005.

² Ridge Planning Statement paragraph 2.19

Application was then made for permanent use of the site. This resulted in the permission cited in the current enforcement notice, ref SB/TP/04/1372 dated 16 December 2004 (the 2004 permission). The permission was time-limited only in so far as a personal condition was imposed.

26. Importantly each permission described the development as use of land for the stationing of two mobile homes and two tourers.
27. In October 2012 a breach of condition notice was issued for non-compliance with condition 3 attached to permission ref SB/TP/04/1372. The condition limited the benefit of the permission to Mr and Mrs JW Doe and Mr and Mrs H Doe and their dependants. The notice required the occupation of mobile homes and caravans on the Land by other than the named residents to cease.

Appeal A: appeal on ground (a), deemed planning application

28. In summary, where the breach of planning control relates to non-compliance with conditions attached to a planning permission, the deemed planning application is to carry out the development granted permission without complying with the condition(s) being enforced against. It is not possible to review any of the other conditions imposed on the relevant permission because to do so would widen the scope of the enforcement notice. However, it is possible to impose new conditions to replace the condition(s) under appeal. If the ground (a) appeal is successful a new planning permission is granted. It may also be necessary to discharge the condition(s) that is subject to the notice and impose any new conditions on the extant planning permission to ensure consistency.
29. The reasons for issuing the notice refer to policies that were current at the date of issue in 2019. The Central Bedfordshire Local Plan 2015-2035 was adopted in July 2021 (the Local Plan) and now provides the relevant development plan policies. The National Planning Policy Framework (the Framework) states that planning conditions should only be used where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (the six tests).
30. The appellant is seeking a permission that would allow the stationing and residential use of four mobile homes on the site by Gypsies and Travellers. The proposed increase in caravan capacity and resident population potentially would have significant planning implications on and off site.
31. The acceptability of development on the appeal site is constrained by its location within the Green Belt, within close proximity to two major accident hazard pipelines and within the zone of influence of the SAC. The need and supply of traveller sites within the District also form essential components of the planning context.

Condition 1

32. In the 2004 permission the reason for condition 1 is "The District Planning Authority would not permit the use of the land as a caravan site unless it would provide accommodation for gypsies". This reason is just as relevant now as a means of facilitating the Gypsy way of life. Plots 1 and 2 on The Stables site should continue to contribute to the stock of Gypsy and Traveller sites within the District to address a general need for such accommodation. No

substantiated case has been presented to justify removing the condition. The condition remains necessary.

33. I have considered whether a new replacement condition should be substituted with the wording typically used now, using the policy definition of gypsies and travellers in the updated Annex 1 of PPTS 2015. The PPTS definition is very similar to that in the Act³. No benefit would result from amending the detailed wording of this condition alone and the planning position may become more confusing for residents and others. In coming to this conclusion I have taken account of the appellant's review of the definitions for Gypsies and Travellers in policy documents, the statutory definition and the implications of the *Lisa Smith* judgement⁴.
34. The appellant has provided information on the Romani Gypsies currently living on the site. However, a conclusion on whether they have gypsy status is not necessary. The main issue in this ground of appeal is whether the condition should be removed.

Condition 2

35. The wording of condition 2 attached to the 2004 permission is consistent with the description of the development in that the condition requires no more than two mobile homes and two touring caravans to be stationed on the site. The condition is not Plot specific and makes no reference to the statutory definition of a caravan.
36. The proposed condition would require no more than 2 plots and no more than 2 caravans (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended) stationed on each plot at any time.
37. The main issue is whether the proposed condition would be consistent with the 'operative' part of the planning permission, that is, the description of the development for which the original permission was granted.
38. This issue is derived from the principles established in case law, notably the *Finney* judgement and later reinforced by the *Fiske* judgement⁵. In *Fiske* the Court considered the authorities concerning restrictions on the section 73 power. The Court concluded there was no power to introduce a condition which created a conflict or was inconsistent with the operative wording of the original permission. The Court also found that there was an additional restriction on granting permission which fundamentally altered the original permission. The appellant and the Council did not dispute that these principles apply to retrospective developments.
39. The stated reason for condition 2 was to allow the local planning authority to exercise control over the development, having regard to the Green Belt location of the site. Condition 3 required the use of the land and the occupation of the mobile homes to be for the sole benefit of Mr and Mrs J Doe and Mr and Mrs H Doe and their dependants. The planning history shows that the 2004

³ CSCDA s24(8): Gypsies means persons of nomadic habit of life, whatever their race or origin, but does not include members of an organised group of travelling showmen, or persons engaged in travelling circuses, travelling together as such.

⁴ *Smith v Secretary of State for Levelling Up, Housing and Communities and Others* [2022] EWCA Civ 1391

⁵ *Finney v Welsh Ministers* [2019] EWCA Civ 1868; *Fiske v Test Valley Borough Council & Woodington Solar Ltd* [2023] EWHC 2221 (Admin)

permission gave the development a greater degree of permanency so that the permission became time limited through the personal condition rather than a specific temporary period of 3 years as in the 2002 permission. The general expectation probably was that each pitch or plot would have a mobile home or static caravan to serve as the main living accommodation and a touring caravan for use when travelling.

40. The proposed condition, by introducing the statutory definition of a caravan, would be precise but there would be no control over the type of caravan within the statutory definition, whether mobile home, static or touring caravan. The condition would allow two mobile homes on Plot 1 and two mobile homes on Plot 2, in line with the stated intention by the appellant to increase the static caravan capacity. Such an outcome would be inconsistent with the description of development granted permission. This conflict alone is sufficient to conclude that to impose the proposed condition would be outside the statutory powers and the condition would not be valid.
41. In the written statement the appellant had suggested an alternative condition with additional wording to prescribe the width and length of the touring caravans and a total length of a towing vehicle and trailer combined. The condition was not pursued or included in the list of proposed conditions presented at the hearing. I have concern that the condition would not be enforceable and therefore would not meet one of the six tests. Furthermore, the alternative condition would not achieve the four mobile homes that are being proposed.
42. The *Finney* and *Fiske* judgements related to the substitution/addition of conditions. An option available in this appeal is to remove condition 2. The operative part of the permission would remain intact, albeit in an unconditioned way and no new condition would conflict with the description of the development. However, a planning condition is necessary to control the number and type of caravans and reliance could not be placed on the description of development to provide such a control. The appellant and the Council did not propose this option and the effects will not be considered further.
43. The appellant acknowledged upgrading the site capacity through the deemed planning application may be constrained by the principle in the *Finney* judgement and was of the view that in such circumstances the enforcement notice should be quashed to avoid the potential for injustice. I am satisfied that to follow the direction of relevant case law would not cause injustice, albeit the outcome would not provide the additional static caravan proposed by the appellant.

Conclusions

44. Conditions 1 and 2 are necessary to control the use and occupation of the Land. The appeal on ground (a) fails and I shall refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeals on ground (f)

45. The issue is whether the requirements are excessive to achieve the purpose of the notice. The purpose is to remedy the breach by making the development

comply with the conditions of the 2004 permission that are being enforced through the notice.

46. The first requirement sets out the action to achieve compliance with condition 1. The wording of the requirement is based on the definition of gypsies and travellers in Annex 1 Planning Policy for Traveller Sites 2012 but the definition is misquoted in the notice. The actual wording in the 2012 document stated "have ceased to travel temporarily or permanently", whereas the requirement omits the words 'temporarily or'. The 2012 definition was the same as the 2015 PPTS definition as updated in 2023 after the *Lisa Smith* judgement. There was agreement at the hearing that reference should be to PPTS 2015 as updated, rather than a policy document that has been replaced.
47. The second requirement is directed at achieving compliance with condition 2. The requirement not only restricts the residential use of the Land but also the storage of caravans. Storage is not part of the breach and the Council accepted at the hearing 'storage' should be replaced by 'stationed'. The wording of the requirement will be amended to be consistent with the wording of condition 2, which uses the word 'stationing'.
48. The third requirement aims to secure removal of caravans in excess of the authorised number and type from each of the two plots. This step would be better combined with step 2, so that the requirements are consistent with the wording of condition 2.
49. The appeals on ground (f) succeed to a limited extent.

Appeals on ground (g)

50. The issue is whether the compliance period of six months is reasonable and proportionate.
51. Since the notice was issued parties have worked together and the number of caravans on the two plots have reduced significantly from a peak around 2018. The Regulation 3 application was anticipated to confirm the planning position, deliver improvements to site conditions and increase site capacity on Plots 1-2 The Stables by allowing four static caravans. To date that expectation has not come about. The appellants have asked for a period of 18 months to enable a new planning application for the appeal site, unconstrained by the limits of the ground (a) deemed planning application, to be submitted and determined.
52. The September 2024 information on site residents from the appellants stated a family of two adults and two children occupied Plot 1. They probably have relatives living on Greenacres. The family on Plot 2, four adults and two children, are Romani Gypsies. They periodically travel back to Romania. The Council's information indicates the family on Plot 1 has moved onto the land after July 2024.
53. The recent history of the site indicates the level of occupation has fluctuated and there has been a turnover of residents. The site is now owned by Kingsmen Group Limited and Dermott Barrett. The specific implications of returning to an authorised number of caravans were not detailed by either the appellants or the Council. However, the context includes the background to and reason for the Regulation 3 application, which has yet to be determined.

54. The Framework states effective enforcement is important to maintain public confidence in the planning system. Upholding the enforcement notice would not alter the fact the site benefits from permission ref. SB/TP/04/1372 dated 16 December 2004. Two mobile homes and two touring caravans would be able to remain, as well as the dwelling in the former dayroom on Plot 1. All matters considered six months is reasonable and proportionate. The appeals on ground (g) do not succeed.

Conclusions

55. For the reasons given above, I conclude that:

- Appeal A should not succeed. I shall uphold the enforcement notice with corrections and a variation and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).
- In Appeal B, where the appeal was pursued on grounds (f) and (g) only, the requirements of the notice are excessive to remedy the breach of planning control. I shall vary the enforcement notice prior to upholding it. The appeal on ground (f) succeeds to that extent.

DECISIONS

56. It is directed that the enforcement notice is corrected by:

- In section 3 (page 2 of the notice), the deletion of the words "edged red on the attached plan" and the substitution of the words "edged blue on the attached plan" and the deletion of the final paragraph regarding the use of a former dayroom building.
- In section 4 Reasons for Issuing this Notice, in paragraph (a) the deletion of the words "and the use of the building as a dwelling in the last four years" and in paragraph (b) the deletion of all phrases "and the use of a building as a dwelling".
- The substitution of the plan annexed to this Decision for the plans attached to the enforcement notice.

57. It is directed that the enforcement notice is varied by:

- In section 5 What You are Required To Do the deletion of the text of paragraphs 5.1, 5.2, 5.3 and 5.4 and the substitution of the requirements:
 1. You must comply with condition 1 by ceasing the occupation of the Land by persons who do not meet the definition of Gypsies and Travellers in Annex 1 of Planning policy for traveller sites as updated in December 2023, which states "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. You must comply with condition 2 by (i) ceasing the use of the Land for the stationing of caravans in excess of two mobile homes and two touring caravans for residential use, and (ii) removing all caravans in excess of two mobile homes and two touring caravans from the Land.

58. **Appeal A:** subject to the corrections and variations set out above, the appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.
59. **Appeal B:** Subject to the corrections and variations set out above, the enforcement notice is upheld.

Diane Lewis

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

Joseph G Jones, BFSGC Planning

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Henderson, barrister

Phillip Hughes, Principal of PHD Chartered Town Planners

Steve Jarman, Opinion Research Services Ltd

David Hale, Gypsy and Traveller Planning Manager, Central Bedfordshire Council

FOR NATIONAL GAS TRANSMISSIONS PLC:

Darren Thomas, National Gas

Naomi Bull, Eversheds Sutherland (International) LLP

FOR HEALTH AND SAFETY EXECUTIVE:

Stuart Reston, HM Principal Specialist Inspector of Health and Safety

Kate Wagner, HSE Land Use Planning Advisor

INTERESTED PARTIES:

Mark Boyce, resident of Greenacres

DOCUMENTS submitted at the hearing:

Submitted by the appellants:

Letter from Manderstam International Group dated 7 October 2024

Site Plans and application site areas

Plan of caravans on the appeal sites 7 October 2024

Plan of plots and residents Greenacres

Submitted by the Council:

Ownership information October 2024

Corrected plans for Plots 1 and 2 The Stables and Greenacres

List of pitch approvals since GTAA base date

Lists of proposed planning conditions

Note on Standing



The Planning Inspectorate

Plan

This is the plan referred to in the decision dated: 06 December 2024

by **Diane Lewis BA(Hons) MCD MA LLM MRTPI**

Land at: Plots 1 and 2 The Stables, Gypsy Lane, Little Billington LU7 9BP

References: APP/P0240/C/19/3221147, APP/P0240/C/19/3221287



CB/ENC/180254 Plot 1 and 2 The Stables



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