



## Appeal Decisions

Hearing held on 8 January 2025

Site visit made on 9 January 2025

**by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 January 2025**

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### **Plots 1-6, Land South of Horseman Side, Navestock RM4 1DN**

- The 6 appeals are all made under section 78 of the Town and Country Planning Act 1990 (as amended) against the failure to give notice within the prescribed period of decisions on applications for planning permission.
  - The development proposed in all 6 appeals are described on the application forms as Retrospective change of use of land to Gypsy/Traveller pitch (temporary or permanent), standing of one static caravan, one touring caravan and development of hard standing and day room for an extended Gypsy/Traveller family to include site access.
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#### **Appeal A Ref: APP/H1515/W/24/3341474 (Plot 1)**

- The appeal is made by Mr J Allen against Brentwood Borough Council.
  - The application Ref is 23/01115/FUL.
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#### **Appeal B Ref: APP/H1515/W/24/3341475 (Plot 2)**

- The appeal is made by Mr T Maugham against Brentwood Borough Council.
  - The application Ref is 23/01114/FUL.
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#### **Appeal C Ref: APP/H1515/W/24/3341476 (Plot 3)**

- The appeal is made by Ms V Maugham against Brentwood Borough Council.
  - The application Ref is 23/01116/FUL.
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#### **Appeal D Ref: APP/H1515/W/24/3341477 (Plot 4)**

- The appeal is made by Ms S Ward against Brentwood Borough Council.
  - The application Ref is 23/01117/FUL.
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#### **Appeal E Ref: APP/H1515/W/24/3341478 (Plot 5)**

- The appeal is made by Mr M Riley against Brentwood Borough Council.
  - The application Ref is 23/01118/FUL.
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#### **Appeal F Ref: APP/H1515/W/24/3341479 (Plot 6)**

- The appeal is made by Mr J Ward against Brentwood Borough Council.
  - The application Ref is 23/01119/FUL.
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### **Decision Appeal A**

1. The appeal is allowed and planning permission is granted for change of use of land to Gypsy/Traveller pitch for the standing of two caravans and the development of hard standing and day room for an extended Gypsy/Traveller family to include site access at Plot 1, Land South of Horseman Side, Navestock RM4 1DN in accordance with the terms of the application, Ref 23/01115/FUL, subject to the 7 conditions in Annex 1.

### **Decision Appeal B**

2. The appeal is allowed and planning permission is granted for change of use of land to Gypsy/Traveller pitch for the standing of two caravans and the development of hard standing and day room for an extended Gypsy/Traveller family to include site access at Plot 2, Land South of Horseman Side, Navestock RM4 1DN in accordance with the terms of the application, Ref 23/01114/FUL, subject to the 7 conditions in Annex 2.

### **Decision Appeal C**

3. The appeal is allowed and planning permission is granted for change of use of land to Gypsy/Traveller pitch for the standing of two caravans and the development of hard standing and day room for an extended Gypsy/Traveller family to include site access at Plot 3, Land South of Horseman Side, Navestock RM4 1DN in accordance with the terms of the application, Ref 23/01116/FUL, subject to the 7 conditions in Annex 3.

### **Decision Appeal D**

4. The appeal is allowed and planning permission is granted for change of use of land to Gypsy/Traveller pitch for the standing of two caravans and the development of hard standing and day room for an extended Gypsy/Traveller family to include site access at Plot 4, Land South of Horseman Side, Navestock RM4 1DN in accordance with the terms of the application, Ref 23/01117/FUL, subject to the 7 conditions in Annex 4.

### **Decision Appeal E**

5. The appeal is allowed and planning permission is granted for change of use of land to Gypsy/Traveller pitch for the standing of two caravans and the development of hard standing and day room for an extended Gypsy/Traveller family to include site access at Plot 5, Land South of Horseman Side, Navestock RM4 1DN in accordance with the terms of the application, Ref 23/01118/FUL, subject to the 7 conditions in Annex 5.

### **Decision Appeal F**

6. The appeal is allowed and planning permission is granted for change of use of land to Gypsy/Traveller pitch for the standing of two caravans and the development of hard standing and day room for an extended Gypsy/Traveller family to include site access at Plot 6, Land South of Horseman Side, Navestock RM4 1DN in accordance with the terms of the application, Ref 23/01119/FUL, subject to the 7 conditions in Annex 6.

## **Preliminary Matters**

7. There is already residential development on the appeal sites in the form of caravans and hard standing across 6 plots. Occupation of this previously undeveloped land started in July 2021. However, the proposal in each appeal is not entirely retrospective as the development on the ground does not reflect what is shown on the plans, while the wording 'temporary or permanent' is ambiguous. Furthermore, the appellants clarified at the hearing that they are seeking a maximum of two caravans per pitch and may not necessarily require touring caravans. Therefore, as agreed at the hearing, an amended description of development for each proposal is shown in the formal decisions above. To clarify, I have assessed the proposals based on the plans before me.
8. The 6 appeal sites are contiguous with each other. The site location plans show the same access onto Horseman Side and a central access spine. However, while the red line for the sites in Appeals C and D include the entirety of the proposed Plots 3 and 4, they only include the access spine as far as the northern corner of each plot. The proposed site plan (ref DD-05) as submitted with each application shows vegetation around the northern corners of the two plots, with the access points for each plot beyond the red line area.
9. As it is not possible to amend the red line plan at this stage, the parties agreed at the hearing to omit the proposed site plan and the proposed block plan (ref DD-03) from the list of approved plans for Appeals C and D. In addition, amendments to Condition 6 for these two appeals requires an internal layout of each site to be submitted as part of the site development scheme. This would allow the access points to each site to be shown at the northern corner without affecting the red line plans. I consider there would be no prejudice caused to any interested party by these arrangements.
10. Material changes to the National Planning Policy Framework (NPPF) and the Planning policy for traveller sites (PPTS) were published on 12 December 2024. The appellants and the Council were afforded the opportunity to provide written comments by 6 January 2025 and the changes were discussed in detail at the hearing.

## **Main Issues**

11. My hearing agenda set out 4 main issues. However, given my findings on the first main issue, it is not necessary to consider the effect on the openness and purposes of the Green Belt, or to consider whether very special circumstances exist. Therefore, the main issues for each appeal are as follows:
  - (a) whether the proposals would be inappropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies;
  - (b) the effect of the proposals on the character and appearance of the surrounding area; and
  - (c) whether any harm would be outweighed by other considerations (such as the need for and supply of gypsy and traveller sites and the personal circumstances of the occupiers of the site).

## Reasons

### ***Whether inappropriate development in the Green Belt***

12. The 6 appeal sites are located within the Metropolitan Green Belt. NPPF paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It also requires that substantial weight is given to any harm to the Green Belt, including harm to its openness, other than in the case of development on previously developed land or grey belt land, where development is not inappropriate (as confirmed by NPPF footnote 55).
13. There are two relevant Green Belt policies in the Brentwood Local Plan 2016-2033 (LP). Policy MG02 seeks to preserve the Green Belt from inappropriate development so that it continues to maintain its openness and serve its key functions. The policy states that all proposals in the Green Belt will be considered and assessed in accordance with national policy. LP Policy HP10 sets out, amongst other things, that windfall sites for gypsy, traveller and travelling showpeople development within the Green Belt will need to demonstrate very special circumstances which clearly outweigh the Green Belt harm. These policies are consistent with the NPPF.
14. PPTS paragraph 16 states that traveller sites in the Green Belt are inappropriate development unless the exceptions set out in chapter 13 of the NPPF apply. The parties agree that none of the exceptions set out in NPPF paragraph 154 are applicable to these proposals but disagree on whether the provisions set out in NPPF paragraph 155 are all met.
15. This paragraph sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where the criteria listed in (a) to (d) apply. The parties agree that (d) is not relevant as the Golden Rules do not apply to traveller sites (as confirmed by PPTS paragraph 18). They also agree that the criteria in (b) and (c) would be met in terms of demonstrable unmet need and the sustainability of the location. However, they disagree on criteria (a) as to whether the development would utilise grey belt land.
16. For the purposes of both plan-making and decision-making, grey belt is defined in the NPPF Glossary as *land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.*
17. The parties agree that any NPPF policies other than Green Belt that are referenced in NPPF footnote 7 are not relevant to these appeals. They also agree that the land does not make a strong contribution to purposes (b) and (d) in NPPF paragraph 143<sup>1</sup>. However, there is disagreement on whether the land makes a strong contribution to purpose (a) to check the unrestricted sprawl of large built-up areas.

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<sup>1</sup> Purpose (b) to prevent neighbouring towns merging into one another; purpose (d) to preserve the setting and special character of historic towns

18. The Council published a Green Belt Assessment (GBA) in 2018 to assess the contribution of land parcels to the Green Belt purposes (a) to (d). The appeal sites fall within parcel 38b at Navestock Common, which overlaps with neighbouring local planning authority areas at Epping Forest and Havering. The part of the parcel within Brentwood is defined by the borough boundary to the west and south as it cuts across fields, and by Goatwood Lane and Horseman Side to the north and east. The whole parcel comprises countryside between villages and the urban edge of London.
19. The GBA only assesses the Brentwood part of the parcel and concludes overall that it makes a moderate contribution to Green Belt purposes, falling in the bottom half of Green Belt parcels in the borough. However, the parties agreed that for the grey belt definition, one should look at each component purpose.
20. The GBA finds that the parcel only represents a minor countryside gap under purpose (b) and has a limited relationship with historic towns under purpose (d). Conversely, for purpose (a), the GBA finds that it is large scale open countryside separate from large built-up areas and thus is not contained. The GBA scores this as red as contributing highly to purpose (a). This could be equated to a strong contribution in terms of the NPPF and so the Brentwood part of parcel 38b would not represent grey belt land.
21. Nevertheless, while the Brentwood part of parcel 38b is less than a quarter of the overall parcel, it is still a much larger tract of land than the appeal sites. The NPPF does not define the extent of grey belt land in any given case other than it must lie within the Green Belt. Looking at parcels is helpful in a strategic sense to inform plan making and future development growth. However, for decision making, it seems more relevant to look at a site specific level for determining grey belt land, otherwise the scale could be too large and skewed by land some distance from the actual site.
22. In their previous undeveloped condition, the appeal sites formed an area of scrubland between two existing traveller sites at Orchard View immediately to the west and Hope Farm a short distance to the east. Both sites have been safeguarded for gypsy and traveller use by LP Policy HP08 and removed from the Green Belt. The justification for their removal at the LP examination was that they had a relatively low Green Belt impact. While these two sites were assessed for Green Belt release as traveller sites rather than undeveloped land, neither had the benefit of permanent planning permission prior to their safeguarding.
23. The two safeguarded sites buffer the appeal sites on both sides with fencing, caravans, and other structures. Mature vegetation along Horseman Side encloses the sites to the north. There is an area of remaining scrubland within the southern parts of the sites in Appeals C and D and an adjoining paddock that provides views across fields to the south. However, the countryside surrounding the appeal sites is extensive and the nearest built up areas are a significant distance to the south and west.
24. Therefore, while parcel 38b (both within Brentwood and the whole parcel) can be found to make a strong contribution to checking the unrestricted sprawl of large built-up areas, the appeal sites make no more than a limited contribution due to their scale and location. Thus, they can be regarded as grey belt land.

25. The parties concur that the proposals would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area, given the relative size of the appeal sites compared to the considerable extent of Green Belt across Brentwood. Therefore, based on my analysis above, the proposals would accord with NPPF paragraph 155 and should not be regarded as inappropriate development in the Green Belt.
26. The Council expressed some concern at the hearing about the cumulative impact of identifying such land as grey belt. However, it is important to stress that I have reached my finding based on the site specific circumstances. It does not give a green light to gypsy and traveller development across the borough's Green Belt. Each case should be examined on its own merits.
27. At the hearing, the parties agreed that if I found the proposals would not be inappropriate development, then it would not be necessary to go on and consider the effects on Green Belt openness and purposes. Therefore, I now turn to the second reason for refusal relating to character and appearance.

### ***Character and appearance***

28. Horseman Side is a narrow country road flanked by mature vegetation, fields and paddocks along both sides. Between Tysea Hill and the bridge over the M25, the countryside is interspersed with sporadic residential properties, farm buildings and stables. There is a golf club and car park to the north of the appeal sites, and a business centre and an industrial yard to the west and east of the appeal sites respectively.
29. There are also traveller sites including the safeguarded land at Orchard View and Hope Farm. The traveller site at Lizvale Farm is unauthorised but screened from the appeal sites by Hope Farm. Therefore, while the character and appearance of the surrounding area is rural, there are significant areas of built development and hardstanding.
30. The proposals would erode and urbanise a previously undeveloped scrubby field with caravans, dayrooms, fencing and hardstanding. However, given the presence of existing built development in this location, plus the ability to provide mitigation through existing and proposed boundary planting, the adverse effects on character and appearance would not be significant.
31. In conclusion, the proposals would have no more than a moderate adverse effect on the character and appearance of the surrounding area. Consequently, they would not conflict with LP Policy HP10 which, amongst other things, seeks to avoid significant adverse impacts on the intrinsic character and beauty of the countryside. The proposals would also accord with LP Policy BE14 which, amongst other things, requires them to respond positively and sympathetically to their context and retain or enhance existing features which make a positive contribution including natural assets.
32. The proposals would also not conflict with the NPPF which, amongst other things, seeks well-designed places in chapter 12 and recognises the intrinsic character and beauty of the countryside in chapter 15.

### ***Other considerations***

#### *Need, supply and policy failure*

33. In its hearing statement, the Council identified that there is a need for 69 gypsy and traveller pitches in the 5 year period to 2029/30 based on residual current need, household formations, and unknown need. This figure is informed by the Brentwood Gypsy and Traveller Accommodation Assessment 2017 (GTAA) which was prepared as part of the LP process.
34. The GTAA took account of gypsies and travellers who both met and did not meet the 2015 definition of the PPTS, thereby anticipating changes to the PPTS in December 2023. It did not take account of further PPTS changes in December 2024 which now includes all other persons with a cultural tradition of nomadism or of living in a caravan. An Essex-wide GTAA has been prepared but the figures have not yet been released for Brentwood. The Council accepts that the figure of 69 pitches is an approximation only. Caravan count data from January 2024 notes that there were around 100 unauthorised caravans in the borough. While only a snapshot, it indicates the scale of local need.
35. The Council considers the current 5 year supply includes 25 pitches based on extant planning permissions and LP allocations. 5 of the allocated pitches are part of the much larger Dunton Hills Garden Village site where development has not yet commenced. However, there is a resolution to grant permission subject to a legal agreement and the pitches would be delivered in an early phase. Planning applications for the remaining LP allocations have yet to be submitted, but these entail much smaller sites for single pitches. Therefore, while there is some uncertainty over delivery of the LP allocations in the next 5 years, it is not unrealistic.
36. The Council has also carried out an assessment of existing allocated or authorised gypsy and traveller sites in terms of the potential for subdivision under LP Policy HP09. It is estimated that this could provide another 29 pitches in the next 5 years. However, for many of these sites, the assessment is uncertain as to whether any planning applications would be submitted. This limits the weight that can be afforded to these additional pitches as part of the 5 year supply.
37. Even if all these subdivisions were delivered in the next 5 years, alongside the extant planning permissions and allocations, the total supply would be 54 against a need of 69 pitches. There is a lack of a 5 year supply of deliverable gypsy and traveller sites in the borough and hence there is a demonstrable unmet need for this type of development. Therefore, based on the Council's figures alone, I give significant weight to the provision of 6 pitches in addressing unmet need and boosting local supply.
38. The LP takes a proactive approach to addressing the needs of gypsies and travellers with the borough. There are 5 specific policies that allocate land for new provision, safeguard existing sites, allow for the subdivision of pitches, provide for windfall schemes, and deliver specialist accommodation. A review of the LP is underway and a new GTAA is imminent. Therefore, while it is unfortunate that the Council has been unable to address its unmet need, I give little weight to the argument that this is because of policy failure.

### *Personal circumstances*

39. Detailed information on many of the proposed occupiers of the appeal sites was provided with the appellants' appeal statements. I also permitted the submission of additional medical information relating to one of the occupiers at the hearing itself. The proposed occupiers of each appeal site apart from Appeal E are related to each other. The appellant in Appeal E is a family friend.
40. On every appeal site there is at least one child below the age of 18, with over a dozen in total. Several of the children attend local schools or nurseries, and the intention is for the youngest to do the same. The Council did not dispute this information or the contention that the children are benefiting from having a settled base to attend school as well as sport clubs.
41. Similarly, on each site there is at least one occupant with medical issues including anxiety and depression. Some of these issues are so severe that they require regular support from other family members on adjoining sites. Many of the proposed occupiers are registered with local surgeries and travel to hospital appointments. Again, none of this information is disputed and there is no doubt that a settled base helps with access to healthcare.
42. The proposed occupiers on all the sites apart from Appeal E have ceased travelling. Many of them were living in crowded conditions with relatives on other sites such as Hope Farm before moving onto the various sites in July 2021. Later in the same summer, they were served with court injunctions to vacate the land. Upon leaving the sites they ended up on the roadside being moved on by the Police and so they returned and sought planning permission instead. The injunctions have been paused pending the outcome of these appeals but would be enforced if the appeals were dismissed.
43. Neither the appellants nor the Council were able to identify any alternative sites for the proposed occupiers. They evidently had nowhere to go in the summer of 2021 and I have not been made aware of anywhere else locally since. This is unsurprising given the unmet need and lack of supply. Family members elsewhere are reluctant to allow them to double up on their sites due to the stress and danger it causes and the potential breaches of planning permissions and/or site licences.
44. There is a real prospect if the appeals were dismissed that the proposed occupiers would end up resorting to a roadside existence. There would also be a strong possibility of criminal prosecutions and custodial sentences relating to the court injunction. This would have serious detrimental effects on the ability of the proposed occupiers to access important services locally. It would represent an interference with the occupiers' home, private and family life. The best interests of the child would be affected in every appeal. Therefore, I afford substantial weight to the personal circumstances in all 6 appeals.

### *Intentional unauthorised development (IUD)*

45. IUD has been a material consideration to weigh in the determination of planning applications and appeals received from 31 August 2015 onwards (as set out in the Government's policy statement of the same date). However, the proposed occupiers were living in overcrowded pitches and moved onto the appeal sites when the situation became untenable. No reasonable alternative

options have been demonstrated. Planning permission has been sought on four occasions since 2021 including applications that have led to these appeals. Thus, I afford limited weight to IUD. It is not a decisive consideration.

### **Planning balance**

46. PPTS paragraph 28 states that the lack of a 5 year supply of deliverable gypsy and traveller sites means that the provisions in NPPF paragraph 11(d) apply. This directs that planning permission is granted unless one of two exceptions apply.
47. Based on the site specific circumstances, the proposals would not be inappropriate development in the Green Belt due to their compliance with NPPF paragraph 155 and the definition of grey belt. Therefore, they would accord with LP Policies MG02 and HP10, PPTS paragraph 16 and NPPF paragraph 153. With regards to NPPF paragraph 11(d)(i), there would be no strong reason to refuse the development proposed in line with specific NPPF policies set out in footnote 7 including those relating to Green Belt.
48. There would only be moderate harm to the character and appearance of the surrounding area and no conflict with LP Policies HP10 or BE14. I give this harm moderate weight. Limited weight is afforded to any IUD. Conversely, I have given significant weight to the proposals in addressing the unmet need and lack of supply, and substantial weight to the personal circumstances. With regards to NPPF paragraph 11(d)(ii), the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole. This indicates that planning permission should be granted for the 6 appeals in this instance.
49. This outcome would be achieved without needing to rely on personal circumstances. Therefore, it would be appropriate to grant a permanent and non-personal permission for each appeal, rather than having to condition occupation by specific persons.

### **Other Matters**

50. Surface water drainage and foul water sewage can be provided via a scheme and secured by condition. This would address any concerns relating to flooding, pollution, and odours. Adequate visibility splays can also be secured onto Horseman Side which would avoid unacceptable effects on highway safety. While greater strategic planning of gypsy and traveller development could take place across local authority boundaries, the LP allows for windfall developments such as this. There is also no conflict with any of the criteria set out in Part 1 of LP Policy HP10 on windfall sites. The plans show adequate information on landscaping and structures for the purposes of my decisions, and further details can be secured by condition.

### **Conditions**

51. I have imposed very similar conditions on each appeal decision. The approved plans listed in each Condition 1 are necessary for clarity and compliance. For the reasons given in the preliminary matters section, Condition 1 for Appeals C and D only refers to two approved plans. Condition 2 for each appeal specifying that the occupants of the site should meet the PPTS definition is

necessary as the appeals have been assessed against policies relating specifically to gypsies and travellers.

52. Conditions 3, 4 and 5 for each appeal are necessary in the interests of character and appearance including the Green Belt, as well as living conditions. Condition 6 for each appeal is necessary to control the provision of surface and foul water drainage, water supply, hard and soft landscaping, lighting, and the provision of safe vehicular access onto the road. For Appeals C and D, an additional requirement is necessary in Condition 6 relating to an internal site layout for the reasons given in the preliminary matters section.
53. Condition 7 for each appeal is necessary to ensure any land contamination is remediated properly. The tailpieces are necessary as it is uncertain whether approval with 3 months is achievable at each stage in the process.

### **Conclusions**

54. For the reasons set out above, and having had regard to all other matters raised, I conclude that Appeals A to F should all be allowed.

*Tom Gilbert-Wooldridge*

INSPECTOR

## **Appearances**

### For the Appellants:

Stephen Cottle	Counsel
Peter Brownjohn	WS Planning and Architecture
Roseanna Ward	Former partner of the Appeal A appellant
Isobella Ward	Former partner of the Appeal B appellant
Vanessa Maugham	Appellant for Appeal C
Kathleen Ward	Sister in law of the Appeal D appellant (and mother of Vanessa Maugham)
Michael O'Reilly	Appellant for Appeal E <sup>2</sup>
Lucy Ward	Cousin of the Appeal F appellant
Lucia Ward	Daughter in law of Lucy Ward
Isobell Ward	Mother of Roseanna and Isobella Ward

### For the Local Planning Authority:

Giles Atkinson	Counsel
Sian Griffiths	RCA Regeneration Limited
Katie Parsons	RCA Regeneration Limited
Julia Sargeant	Brentwood Borough Council

### Interested Parties:

Cllr Chrissy Gelderbloem	Brentwood Borough Council
Dr Thomas Acton	Brentwood Gypsy and Traveller Support Group

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<sup>2</sup> Spelt differently to the application and appeal forms

**Documents submitted at the Hearing (all by the appellant)**

1. Caravan Count figures for Brentwood and England (2021-2024)
2. Medical information relating to one of the proposed occupiers
3. Extracts from the report entitled *Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers*
4. *ZH (Tanzania) v SSHD* [2011] UKSC 4
5. *Zoumbas v SSHD* [2013] UKSC 74
6. Appeal Decision APP/P0119/A/10/2130078
7. Section 24 of the Caravan Sites and Control of Development Act 1960
8. Section 149 of the Equality Act 2010

**Documents submitted after the Hearing**

1. Amendments to Conditions 1 and 6 for Appeals C and D, and to Condition 7 for all 6 appeals.

### **Annex 1: Conditions for Appeal A (APP/H1515/W/24/3341474)**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: J004607-DD-01, J004607-DD-03, J004607-DD-05, J004607-DD-06.
- 2) The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites published on 12 December 2024.
- 3) There shall be no more than one pitch on the site, and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the pitch at any time.
- 4) No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and it shall not exceed 3.5 tonnes in weight.
- 5) No commercial activities shall take place on the land including the storage of materials.
- 6) 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 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
  - (i) Within 3 months of the date of this decision a scheme for:
    - (a) means of surface and foul water drainage of the site;
    - (b) hard and soft landscaping plan (including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities);
    - (c) confirmation of a water supply;
    - (d) provision of a vehicle access to the site which, as shown in principle on drawing 2309030-02 Rev A (within the updated Highways Technical Note dated 15th March 2024) the vehicle access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 75 metres to the east and 2.4 metres by 99 metres to the west, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of any obstruction at all times. Furthermore, the access shall be provided at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate vehicle crossing of the highway verge and ditch; and
    - (e) lighting strategy,(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
  - (ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a

decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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

Upon implementation of the approved site development scheme specified in this condition, that scheme shall thereafter be maintained and retained. 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.

- 7) In the event that contamination is found, at any time when carrying out works to implement the approved development, that was not previously identified, it must be reported in writing within 14 days to the local planning authority. All works shall cease, and an investigation and risk assessment shall have been undertaken and be submitted for approval in writing by the local planning authority within 3 months of reporting unexpected contamination, unless otherwise agreed in writing with the local planning authority. Where remediation is necessary, a remediation scheme must be prepared by a competent person, and must have been submitted and approved in writing by the local planning authority within 3 months of the investigation and risk assessment having been submitted, unless otherwise agreed in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted, and approved in writing by the local planning authority, within 6 months of occupation of the implemented development hereby approved.

## **Annex 2: Conditions for Appeal B (APP/H1515/W/24/3341475)**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: J004608-DD-01, J004608-DD-03, J004608-DD-05, J004608-DD-06.
- 2) The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites published on 12 December 2024.
- 3) There shall be no more than one pitch on the site, and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the pitch at any time.
- 4) No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and it shall not exceed 3.5 tonnes in weight.
- 5) No commercial activities shall take place on the land including the storage of materials.
- 6) 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 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
  - (i) Within 3 months of the date of this decision a scheme for:
    - (a) means of surface and foul water drainage of the site;
    - (b) hard and soft landscaping plan (including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities);
    - (c) confirmation of a water supply;
    - (d) provision of a vehicle access to the site which, as shown in principle on drawing 2309030-02 Rev A (within the updated Highways Technical Note dated 15th March 2024) the vehicle access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 75 metres to the east and 2.4 metres by 99 metres to the west, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of any obstruction at all times. Furthermore, the access shall be provided at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate vehicle crossing of the highway verge and ditch; and
    - (e) lighting strategy,(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
  - (ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a

decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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

Upon implementation of the approved site development scheme specified in this condition, that scheme shall thereafter be maintained and retained. 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.

- 7) In the event that contamination is found, at any time when carrying out works to implement the approved development, that was not previously identified, it must be reported in writing within 14 days to the local planning authority. All works shall cease, and an investigation and risk assessment shall have been undertaken and be submitted for approval in writing by the local planning authority within 3 months of reporting unexpected contamination, unless otherwise agreed in writing with the local planning authority. Where remediation is necessary, a remediation scheme must be prepared by a competent person, and must have been submitted and approved in writing by the local planning authority within 3 months of the investigation and risk assessment having been submitted, unless otherwise agreed in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted, and approved in writing by the local planning authority, within 6 months of occupation of the implemented development hereby approved.

### **Annex 3: Conditions for Appeal C (APP/H1515/W/24/3341476)**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: J004609-DD-01 and J004609-DD-06.
  - 2) The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites published on 12 December 2024.
  - 3) There shall be no more than one pitch on the site, and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the pitch at any time.
  - 4) No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and it shall not exceed 3.5 tonnes in weight.
  - 5) No commercial activities shall take place on the land including the storage of materials.
  - 6) 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 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
    - (i) Within 3 months of the date of this decision a scheme for:
      - (a) the internal layout of the site, including the siting of caravans, plots, extent of hardstanding, access road, parking and amenity areas;
      - (b) means of surface and foul water drainage of the site;
      - (c) hard and soft landscaping plan (including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities);
      - (d) confirmation of a water supply;
      - (e) provision of a vehicle access to the site which, as shown in principle on drawing 2309030-02 Rev A (within the updated Highways Technical Note dated 15th March 2024) the vehicle access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 75 metres to the east and 2.4 metres by 99 metres to the west, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of any obstruction at all times. Furthermore, the access shall be provided at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate vehicle crossing of the highway verge and ditch; and
      - (f) lighting strategy,
- (hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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

Upon implementation of the approved site development scheme specified in this condition, that scheme shall thereafter be maintained and retained. 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.

- 7) In the event that contamination is found, at any time when carrying out works to implement the approved development, that was not previously identified, it must be reported in writing within 14 days to the local planning authority. All works shall cease, and an investigation and risk assessment shall have been undertaken and be submitted for approval in writing by the local planning authority within 3 months of reporting unexpected contamination, unless otherwise agreed in writing with the local planning authority. Where remediation is necessary, a remediation scheme must be prepared by a competent person, and must have been submitted and approved in writing by the local planning authority within 3 months of the investigation and risk assessment having been submitted, unless otherwise agreed in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted, and approved in writing by the local planning authority, within 6 months of occupation of the implemented development hereby approved.

#### **Annex 4: Conditions for Appeal D (APP/H1515/W/24/3341477)**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: J004610-DD-01 and J004610-DD-06.
  - 2) The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites published on 12 December 2024.
  - 3) There shall be no more than one pitch on the site, and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the pitch at any time.
  - 4) No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and it shall not exceed 3.5 tonnes in weight.
  - 5) No commercial activities shall take place on the land including the storage of materials.
  - 6) 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 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
    - (i) Within 3 months of the date of this decision a scheme for:
      - (a) the internal layout of the site, including the siting of caravans, plots, extent of hardstanding, access road, parking and amenity areas;
      - (b) means of surface and foul water drainage of the site;
      - (c) hard and soft landscaping plan (including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities);
      - (d) confirmation of a water supply;
      - (e) provision of a vehicle access to the site which, as shown in principle on drawing 2309030-02 Rev A (within the updated Highways Technical Note dated 15th March 2024) the vehicle access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 75 metres to the east and 2.4 metres by 99 metres to the west, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of any obstruction at all times. Furthermore, the access shall be provided at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate vehicle crossing of the highway verge and ditch; and
      - (f) lighting strategy,
- (hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

(ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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

Upon implementation of the approved site development scheme specified in this condition, that scheme shall thereafter be maintained and retained. 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.

- 7) In the event that contamination is found, at any time when carrying out works to implement the approved development, that was not previously identified, it must be reported in writing within 14 days to the local planning authority. All works shall cease, and an investigation and risk assessment shall have been undertaken and be submitted for approval in writing by the local planning authority within 3 months of reporting unexpected contamination, unless otherwise agreed in writing with the local planning authority. Where remediation is necessary, a remediation scheme must be prepared by a competent person, and must have been submitted and approved in writing by the local planning authority within 3 months of the investigation and risk assessment having been submitted, unless otherwise agreed in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted, and approved in writing by the local planning authority, within 6 months of occupation of the implemented development hereby approved.

### **Annex 5: Conditions for Appeal E (APP/H1515/W/24/3341478)**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: J004611-DD-01, J004611-DD-03, J004611-DD-05, J004611-DD-06.
- 2) The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites published on 12 December 2024.
- 3) There shall be no more than one pitch on the site, and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the pitch at any time.
- 4) No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and it shall not exceed 3.5 tonnes in weight.
- 5) No commercial activities shall take place on the land including the storage of materials.
- 6) 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 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
  - (i) Within 3 months of the date of this decision a scheme for:
    - (a) means of surface and foul water drainage of the site;
    - (b) hard and soft landscaping plan (including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities);
    - (c) confirmation of a water supply;
    - (d) provision of a vehicle access to the site which, as shown in principle on drawing 2309030-02 Rev A (within the updated Highways Technical Note dated 15th March 2024) the vehicle access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 75 metres to the east and 2.4 metres by 99 metres to the west, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of any obstruction at all times. Furthermore, the access shall be provided at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate vehicle crossing of the highway verge and ditch; and
    - (e) lighting strategy,(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
  - (ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a

decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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

Upon implementation of the approved site development scheme specified in this condition, that scheme shall thereafter be maintained and retained. 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.

- 7) In the event that contamination is found, at any time when carrying out works to implement the approved development, that was not previously identified, it must be reported in writing within 14 days to the local planning authority. All works shall cease, and an investigation and risk assessment shall have been undertaken and be submitted for approval in writing by the local planning authority within 3 months of reporting unexpected contamination, unless otherwise agreed in writing with the local planning authority. Where remediation is necessary, a remediation scheme must be prepared by a competent person, and must have been submitted and approved in writing by the local planning authority within 3 months of the investigation and risk assessment having been submitted, unless otherwise agreed in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted, and approved in writing by the local planning authority, within 6 months of occupation of the implemented development hereby approved.

### **Annex 6: Conditions for Appeal F (APP/H1515/W/24/3341479)**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: J004612-DD-01, J004612-DD-03, J004612-DD-05, J004612-DD-06.
- 2) The site shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of the Planning Policy for Traveller Sites published on 12 December 2024.
- 3) There shall be no more than one pitch on the site, and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the pitch at any time.
- 4) No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and it shall not exceed 3.5 tonnes in weight.
- 5) No commercial activities shall take place on the land including the storage of materials.
- 6) 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 56 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
  - (i) Within 3 months of the date of this decision a scheme for:
    - (a) means of surface and foul water drainage of the site;
    - (b) hard and soft landscaping plan (including tree, hedge and shrub planting with details of species, plant sizes and proposed numbers and densities);
    - (c) confirmation of a water supply;
    - (d) provision of a vehicle access to the site which, as shown in principle on drawing 2309030-02 Rev A (within the updated Highways Technical Note dated 15th March 2024) the vehicle access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 75 metres to the east and 2.4 metres by 99 metres to the west, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of any obstruction at all times. Furthermore, the access shall be provided at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate vehicle crossing of the highway verge and ditch; and
    - (e) lighting strategy,(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
  - (ii) If within 11 months of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a

decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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

Upon implementation of the approved site development scheme specified in this condition, that scheme shall thereafter be maintained and retained. 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.

- 7) In the event that contamination is found, at any time when carrying out works to implement the approved development, that was not previously identified, it must be reported in writing within 14 days to the local planning authority. All works shall cease, and an investigation and risk assessment shall have been undertaken and be submitted for approval in writing by the local planning authority within 3 months of reporting unexpected contamination, unless otherwise agreed in writing with the local planning authority. Where remediation is necessary, a remediation scheme must be prepared by a competent person, and must have been submitted and approved in writing by the local planning authority within 3 months of the investigation and risk assessment having been submitted, unless otherwise agreed in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted, and approved in writing by the local planning authority, within 6 months of occupation of the implemented development hereby approved.