



Appeal Decision

Hearing held on 27 February 2025

Site visit made on 27 February 2025

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 March 2025

Appeal Ref: APP/U3935/W/24/3351894

Double Oak Farm, Wanborough Road, Swindon SN4 0AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Les Stevens against the decision of Swindon Borough Council.
 - The application Ref is S/24/0634/RACH.
 - The development proposed is change of use of the land to a Gypsy and Traveller site with two pitches, each with one mobile home and one touring caravan, a shared day room building and parking, with stables and associated paddocks for equestrian use.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of the land to a Gypsy and Traveller site with two pitches, each with one mobile home and one touring caravan, a shared day room building and parking, with stables and associated paddocks for equestrian use at Double Oak Farm, Swindon SN4 0AA in accordance with the terms of the application, Ref S/24/0634/RACH, subject to the 7 conditions in the attached schedule.

Preliminary Matters

2. The description of development on the application form and the appeal form differ in their content with regard to the change of use of land, the number of pitches, and the provision of touring caravans in particular. The description of development was discussed during the hearing. An amended description of development was agreed in writing by both main parties following the hearing. As the amendments represent clarification only, I consider that no party has been placed at a disadvantage and further public consultation would not be necessary. I have not used the term 'retrospective' as this is not a description of development.
3. Although the change of use of land has occurred, hardstanding has been laid down, and several caravans are on site, the proposal has not been fully implemented as the number of static and touring caravans on site is not consistent with the appeal and the shared dayroom has not been built. I have referred to the appeal scheme as the proposal throughout this decision.
4. Reference was made to planning permission S/11/0640 for change of use of land to enable the siting of a mobile caravan. This was subject to conditions limiting its use and its time on site for no more than three years from July 2011. It was agreed at the hearing that this permission has lapsed.

5. Following the hearing, I consulted the main parties on amended conditions. I have taken the views of the main parties into account in applying the amended conditions to the decision.
6. Since the appeal's submission, the revised National Planning Policy Framework (NPPF) and the revised Planning policy for traveller sites (PPTS) were published in December 2024. Both main parties had the opportunity to refer to these documents during the hearing and I have therefore referred to them.

Main Issues

7. The main issues in this appeal are:
 - a) Whether the proposal would be in a suitable location, with particular regard to the character and appearance of the area, accessibility, the development plan and national planning policy;
 - b) The effect of the proposal on highway and pedestrian safety;
 - c) Whether the proposal would provide an appropriate waste storage and collection strategy; and
 - d) Whether any harm identified, including conflict with the development plan, would be outweighed by other considerations.

Reasons

a) Location

8. PPTS paragraph 14 confirms that when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community. Amongst other things, PPTS paragraph 26 states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.
9. Policy SD2 of the Swindon Borough Local Plan 2026 (adopted 2015) (SBLP) sets out the Council's sustainable development strategy. This includes not less than 22,000 dwellings between 2011 and 2026. Outside Swindon, the policy focusses rural development primarily at Highworth and Wroughton, with extension of development at South Marston. At other villages, proportional to their size and function, development will be supported within the rural settlement boundaries on the Policies Map, or on land allocated in a Neighbourhood Plan or Site Allocations Plan.
10. Where proposals lie in rural and countryside locations outside the defined rural settlement boundaries, SBLP Policy SD2 c) sets out three unnumbered sub-criteria with non-solid bullet points. Though this part of SBLP Policy SD2 has been interpreted by the Council to mean that the first sub-criterion and one of two further sub-criteria should be met, this does not accord with a reasonable and common-sense reading of the policy. Noting reference to "and/or" after the first sub-criterion, I have interpreted SBLP Policy SD2 c) as permitting development where at least one of three sub-criteria is met.
11. Local needs have not been identified and allocated through a Neighbourhood Plan or Neighbourhood Development Order. Furthermore, the proposal is not for expansion of tourist and visitor facilities. As such the first two sub-criteria of

SBLP Policy SD2 are not met. The third sub-criterion relates to whether the proposal is in accordance with other SBLP policies permitting specific development in the countryside. I will conclude on this sub-criterion after I have considered other relevant SBLP policies.

12. SBLP Policy NC3 on the New Eastern Villages (NEV) sets out parameters for delivery of new and expanded villages. SBLP Policy NC3 e) confirms that Wanborough, Bishopstone and Bourton's character and identity will be protected by a principle of non-coalescence between settlements. The land between the NEV and existing villages shall remain part of the countryside.
13. However, SBLP policy NC3 e) outlines that small scale development within this area, as defined on the Policies Map, will be permitted where it retains or enhances the countryside's existing character and meets one of two sub-criteria. These are that the proposal involves the re-use, conversion or extension of existing buildings at a scale appropriate to their location, in accordance with the criteria specified in SBLP Policy DE1; or is an essential requirement directly related to the rural community's economic or social needs.
14. The Council considers that neither sub-criterion of SBLP Policy NC3 e) is applicable, while the appellant considers the proposal could be found to comply with the second sub-criterion. The policy and its supporting text does not clarify what the rural community's economic and social needs would consist of. However, the social objective at NPPF paragraph 8 refers to supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet present and future generations' needs; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. As the proposal is for housing, the second sub-criterion of SBLP Policy NC3 e) is applicable in this instance. However, it would be necessary for the proposal to retain or enhance the area's character and appearance. I will address this in due course.
15. SBLP Policy HA8 includes criteria on sites for Gypsies and Travellers. Amongst other things, this policy requires inclusion of appropriate landscaping measures to avoid any adverse visual impact, and addresses the need to be accessible to shops, schools and health facilities by public transport, by bicycle or on foot.
16. SBLP Policy TR2 expects that development should be located and designed to reduce the need to travel and to encourage the use of sustainable transport alternatives, particularly walking and cycling, and provide the potential to maximise bus travel.
17. It was agreed by the Council in their statement of case and during the hearing that SBLP Policies HA8 and TR2 conflict with the PPTS as the PPTS implicitly expects pitches for Gypsies and Travellers to be located in rural areas, which would lessen opportunities for sustainable transport use.
18. Turning to the area's character and appearance first, the site is in the countryside and is within the area of non-coalescence between Wanborough and the NEV development. The site consists of paddocks, stables and storage sheds associated with equestrian use. At the time of the site visit, one mobile home and three touring caravans were on site and part of the site nearest the access track had been gravelled.

19. The site's unmade access track adjoins allotments and water treatment works, with the site set back from Wanborough Road adjacent to a small wooded area and land used by an animal care business and for storage. There are trees and hedging bounding the access track and the ends of the paddocks within the site. Beyond the site, there is a patchwork of fields with hedges and trees forming field boundaries and scattered housing and farm buildings. The site sits within the Calne Rolling Clay Lowland landscape area, which is characterised by broadly rectangular and relatively flat arable fields separated by hedgerows, with views to the surrounding hills. Over the fields, recently built housing at Redlands Way forms part of the wider NEV allocation.
20. Given the relatively flat terrain, the trees and hedgerows, and the site's location away from Wanborough Road, views of the site from the wider area are relatively limited. Given the proposal's scale with a dayroom building, two mobile homes and two touring caravans, the proposal would increase the extent of built form and domestic paraphernalia on site. However, given the distance from the road and the enclosure by established planting, the proposal would have only a minimal adverse effect on the character and appearance of the immediate and wider area and on any coalescence between Wanborough and the NEV.
21. With regard to accessibility to services and facilities, the closest settlement is Wanborough where there is a school, public houses, community and recreation facilities and stops for bus services between Hungerford, Marlborough and Swindon. There is no continuous footway to the bus stops in Wanborough. Over time, it is expected that the NEV will have a range of services and facilities. Alongside housing, land at Redlands Way has outline planning permission (S/OUT/16/0021) for a local convenience store/community facility and primary school. Reserved matters applications (S/RES/23/0128, S/RES/23/0026) for the village square, convenience retail unit, and primary school have been approved. These facilities would be some 0.8 miles away along a footpath with street lighting which adjoins Wanborough Road.
22. The Council has directed me to the Standing Advice Note for Active Travel and Sustainable Development by Active Travel England. This document indicates that local facilities and amenities should be within 800m (walk or cycle) and high frequency bus stop provision should be within 400m (walk or cycle).
23. Notwithstanding the quality and safety of the site's access which I will address later, the site's occupiers would be able to walk or cycle in the daytime and in good weather to the services and facilities in Wanborough and at NEV in the future. The appellant refers to use of a horse and trap to access services and that having a settled base can reduce the need for long distance travelling.
24. As highlighted in other appeal decisions¹, it is not uncommon for such uses to be located in rural settings and for occupiers to be reliant on the private car for many day-to-day journeys, particularly when needing to access a full range of services and facilities. Like in the Wickford appeals, it would be realistic to conclude that for reasons of convenience, distance and safety during hours of darkness there would be greater reliance on the private car than sustainable

¹ APP/Q3115/C/19/3238398, decision issued 3 November 2022; APP/V1505/C/20/3265750, 3265751, 3265752, 3265753, 3268185, 3268187, 3268188, 3265754, 3265755, 3265756, 3265757, 3268203, 3265759, 3265760, 3265761, 3265762, 3267235. decisions issued 16 November 2022; APP/X0415/C/19/3226415, 3226620 and 3226623, decisions issued 7 January 2022; and APP/J1915/W/19/3234671, decision issued 4 February 2020.

transport to get to and from Wanborough, other villages, or Swindon itself. The distances involved in this appeal are not excessive by rural standards and would be little different to trips taken by the settled community in the surrounding area. This is consistent with NPPF paragraph 110 which confirms that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. The PPTS does not specifically refer to accessibility to services and facilities by sustainable transport as an aim. I find therefore that the site is reasonably well related to services and facilities.

25. In conclusion, I have found no harm with regard to accessibility and therefore there would be no conflict with relevant parts of SBLP Policies HA8 and TR2 in this regard. Furthermore, with the inclusion of condition (7) on landscaping, the landscaping element of SBLP Policy HA8 would be met. However, as it would fail to retain the character and appearance of the area, the proposal would not be in a suitable location, with particular regard to the character and appearance of the area, the development plan and national planning policy. As such, it would conflict with SBLP Policies SD2 and NC3, with particular regard to Policy SD2 c) third sub-criterion and NC3 e) as set out above.

b) Highway and pedestrian safety

26. Wanborough Road is a 30 miles per hour road with a footpath along one side. Streetlights abut the footpath at intervals and there is a road narrowing close to the site giving priority to vehicles travelling from Wanborough. West of the site, there is a recently built housing development at Redlands, which forms part of the NEV. The neighbouring allotments and water treatment works are served by a separate access off Wanborough Road.
27. The site is accessed off Wanborough Road via a private unmade and unlit track, which is not in the appellant's ownership. The appellant has a right of way over the track, but does not have the right to carry out works to the track, amend the track's route or install passing places along the track. The track has a tarmacked and kerbed end at Wanborough Road. It runs some 230 metres from the road before curving towards the site. It widens slightly at the bend.
28. SBLP Policy HA8 refers, amongst other things, to the need to have good access to the highway network, not cause traffic congestion and safety problems, and to have sufficient space for vehicle parking and manoeuvring. In addition to expecting development to reduce the need to travel and to encourage use of sustainable transport, SBLP Policy TR2 asserts that development shall be permitted where proposals provide access that is appropriate to the scale, type and location without detriment to highway safety and local amenity, and where there is an existing safe and convenient pedestrian and cycle access.
29. The access track has been used for several years in association with the equestrian use of the site and the adjoining uses. No accidents associated with the track or the access from Wanborough Road have been reported. Given the site's lawful use, horse boxes and trailers have been taken on and off the site via the same access track. Furthermore, a fire engine has previously attended the site and a private refuse collection lorry visits the site fortnightly without difficulty. As such, I see no issue with emergency vehicles accessing the site.
30. Although the access track is narrow, unmade and unlit, it is very straight for much of its length. Consequently, any driver accessing the access track would be able to see pedestrians, cyclists or other motorised vehicles for some

distance and would have time to pause on the road or travel up to the bend where it would be possible for some vehicles to pass one another or to pass pedestrians and cyclists. As such, conflict between track users would be avoided. Furthermore, the number of pedestrians, cyclists and vehicles using the access track would likely be few in number as there are limited users of the land accessed from the track.

31. With regard to cycle parking, the Council's parking standards would expect secure covered cycle parking for one bicycle per dwelling. The main parties agree that this would be adequately addressed by means of condition (7).
32. I conclude that the proposal would not have a harmful effect on highway and pedestrian safety and would comply with SBLP Policies HA8 and TR2 set out above.

c) Waste storage and collection

33. Amongst other things, SBLP Policy HA8 sets out criteria against which proposals for Gypsy and Traveller pitches should be considered. This includes provision of adequate waste disposal facilities.
34. The appellant has confirmed that a private refuse collection lorry attends the site to empty a 1100L general waste bin fortnightly. This is confirmed by a waste transfer note from the waste carrier. It is understood that this lorry has been able to enter the site in a forward gear, turn, and leave the site safely.
35. Condition (7) has been proposed with regard to further information to be submitted and approved in respect of waste storage and collection. Subject to my amendments on timing for provision and approval of information and for implementation of the approved details, the condition would satisfactorily address the need to provide adequate waste storage and collection.
36. In conclusion, the proposal would provide an appropriate waste storage and collection strategy. This would comply with SBLP Policy HA8 as set out above.

d) Other considerations

37. Turning to the matter of need and supply, PPTS paragraph 10 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets and identify a supply of specific developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15. PPTS paragraph 28 states that if a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, the provisions in NPPF paragraph 11(d) apply.
38. PPTS paragraph 25 outlines, amongst other things, the need to consider the existing level of local provision and need for sites, the availability (or lack) of alternative accommodation, and other personal circumstances. It also confirms that locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites.
39. The Council has provided Gypsy Traveller and Travelling Showpeople Accommodation Assessments (GTAA) dating from 2013, 2019, 2022 and 2024. Though the number of pitches on authorised private sites and on unauthorised sites has fluctuated, there is one local authority-run site with 37 pitches at Hay

Lane and a transit site with up to 20 pitches at Chisledon Firs. The site at Hay Lane is fully occupied and has a lengthy waiting list for pitches. Chisledon Firs is not presently in use and while Government funding has been gained for its renovation, no progress has been made to refurbish the transit site as yet.

40. The 2013 GTAA assumed an estimated additional site provision up to 2028 to be 17 pitches to address the needs of all identifiable households. Accordingly, SBLP Policy HA8 refers to provision being made for 17 additional residential pitches by 2026. It confirms that the location(s) of the additional requirement will be identified in a Site Allocation Development Plan Document. No such document has come forward in the decade since the SBLP's adoption.
41. The Council produced a further GTAA in March 2019. The 2019 GTAA reported that the identified need between 2019 and 2036 was for 23 pitches based on ethnic identity, 20 pitches based on PPTS 2015, and 11 pitches based on those who travel only for work. In March 2022, the Wiltshire Council GTAA was published. This outlined that accommodation need in Swindon over the period 2019 - 2035 was the same as in the 2019 GTAA. At that point, the Council had not identified any Council-owned land that could be suitable to accommodate the identified need. No further progress is evident on this matter.
42. Recently, the Council commissioned a further GTAA (December 2024). The 2024 GTAA indicates that 35 new permanent Gypsy and Traveller pitches based on ethnic identity, and 25 new permanent pitches based on PPTS 2023 are needed between 2024 and 2043. Almost half of this identified need is within the first five years up to 2029. I take this to be a minimum expression of need as I have doubts about the robustness of the 2024 GTAA. While the 2024 GTAA recommends that Chisledon Firs is refurbished for permanent occupation, this would not be sufficient to address the identified need up to 2029. I have no certainty that this will be carried out.
43. My concerns about robustness include the recent publication of the PPTS 2024, which postdates the production of the 2024 GTAA, and the need to consider the accommodation needs for those persons with a cultural tradition of nomadism or of living in a caravan, including those people presently living in bricks and mortar housing. As a significant proportion of the borough's Gypsy and Traveller residents live in bricks and mortar housing, this could have a significant effect on need.
44. Furthermore, the 2024 GTAA survey work was undertaken in Summer 2024, when Gypsies and Travellers are more likely to be travelling. This potentially reduces the reliability of the figures. Though the appellant was on site in Summer 2024, they were not contacted for interview. This calls into question who was interviewed and whether coverage was adequate.
45. A recent planning application S/23/1500 at land off Nightingale Lane, South Marston for 12 pitches was refused in October 2024. It is understood that this application was submitted in December 2023 and was intended to meet the needs of another family. It is unclear if this other family's needs have been factored into the need figures within the 2024 GTAA.
46. The Council's Local Development Scheme (January 2024) indicates that the Council intends to produce a new Local Plan for submission to the Secretary of State by June 2025. After the hearing, the Council confirmed that it was looking to undertake Regulation 18 (Issues and Options) consultation in 2025,

with Regulation 19 (Publication) consultation and submission of the new Local Plan for examination in 2026. A new Local Plan is therefore some years away.

47. Since the SBLP was adopted, no sites have been allocated to meet the identified need for pitches. The Council has not brought forward a Site Allocations Plan committed to in the SBLP, and the new Local Plan has not come forward. Indeed, since the SBLP was adopted, the identified need for pitches has increased yet further and the PPTS has been revised and amendments have been made to the definition of Gypsies and Travellers for planning policy purposes. The borough lacks a five year supply of deliverable Gypsy and Traveller sites and has failed to put policies or other measures in place to meet the needs of Gypsies and Travellers over the last decade. There is therefore a demonstrable unmet need for this type of development. Working on the basis of the Council's 2024 GTAA figures as a minimum, I afford significant weight to the provision of two pitches in addressing unmet need and boosting local supply.
48. With regard to personal circumstances, detailed information was supplied by the appellant. The occupiers of the two pitches are English Travellers who are related to one another or have married into the family. The appellant and his oldest son work as tree surgeons. While they travel for work at times, they also travel for cultural reasons, including attending fayres and weddings. I also understand that members of the extended family live in the vicinity of Swindon in bricks and mortar housing.
49. There are no children under the age of 18 on the two pitches within the appeal site. However, several occupiers of the site have medical issues. Some of these medical issues have such profound physical and psychological effects that the relevant occupiers require regular support from family members on site and are unable to work. This information is not disputed and I have no reason to doubt that a settled base is beneficial for access to healthcare and in providing emotional stability. Reference has been made to a legal judgment² with regard to personal circumstances. I have had regard to this judgment. I give significant weight to the personal circumstances of the site's occupiers.
50. In terms of alternative sites, the appellant and the Council were unable to identify any suitable and available alternative sites. This is not surprising in the light of the recognised level of need and supply of sites locally. Local members of the appellant's extended family live in bricks and mortar housing, which would not be appropriate for the appellant and his immediate family.
51. There is a realistic prospect that the site's occupiers would have to take up a roadside existence if the appeal was dismissed and they were moved on. This would have potentially significant negative effects on the site's occupiers, particularly those who need regular access to medical services and find a settled base to be beneficial for their mental and physical health. Dismissal of the appeal would represent an interference with the occupiers' home, private and family life. I afford significant weight to the lack of alternative sites.

Planning balance

52. PPTS paragraph 28 confirms that if a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, the provisions

² Waverley Borough Council v. Anthony Martin Gray and others [2023] EWHC 2161 (KB)

in NPPF paragraph 11(d) apply. NPPF paragraph 11 (d) directs that planning permission should be granted unless one of two criteria apply. Both main parties agree that NPPF paragraph 11 d (ii) is applicable in this instance.

53. I have not found harm in respect of highway and pedestrian safety, waste storage and collection, or accessibility. However, there is harm in respect of whether the site would be in a suitable location, with particular regard to the character and appearance of the area, the development plan and national planning policy. The limited harm in respect of the character and appearance of the area and the conflict with SBLP Policies SD2 and NC3 has limited weight.
54. Conversely, I give significant weight to the proposal in addressing the unmet need and lack of supply, significant weight to personal circumstances, and significant weight to the lack of alternative pitches. Having regard 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. Planning permission should therefore be granted.
55. Though I have had regard to the scope to allow the appeal on a temporary or personal basis, the weight afforded to the shortfall in provision of sites for Gypsies and Travellers within Swindon's administrative area indicates that it has not been necessary to rely on personal circumstances in granting this permission. As such, it is appropriate to grant permission on a permanent and non-personal basis. As I am allowing the appeal, there would be no interference with the appellant's family's human rights or interests.

Other Matters

56. Interested parties have submitted representations with regard to the planning application and subsequent appeal. While the proposal was partially implemented prior to planning permission being gained, I have a duty to deal with the appeal before me. With regard to flood risk, concerns about surface water flood risk will be addressed by means of condition. I understand that the site has facilities for foul sewerage. With regard to biodiversity, though a Biodiversity Net Gain Assessment was undertaken for the appellant by Tunley Environment in May 2024, further details of landscaping and biodiversity enhancements will be required by condition.

Conditions

57. None of the conditions are pre-commencement conditions as the proposal has already been partially implemented. No standard time limit condition has been applied for this reason.
58. Condition (1) is necessary for clarity and certainty to set out the approved plans. A further condition (2) is required in respect of the external facing materials for the shared dayroom to ensure that the materials are consistent with the area's character and appearance. Condition (3) is necessary to restrict occupation of the site to Gypsies and Travellers as defined in PPTS Annex 1.
59. To promote reasonable living conditions, the number of caravans to be stationed on site should be limited by condition (4) to two per pitch of which no more than one per pitch should be a static caravan. A condition (5) prohibiting commercial activity taking place and restricting the size of any commercial vehicle parked are necessary in the interests of character and appearance and

living conditions. In the interests of highway safety and living conditions, a condition (6) is necessary for the parking of vehicles.

60. A condition (7) is necessary to require the submission and approval of surface water and foul drainage, cycle parking, landscaping, biodiversity net gain, and fencing, waste storage and collection. This is necessary to ensure that the site has adequate living conditions, is safe from flood risk, has appropriate cycle parking and waste management, and is landscaped and addresses biodiversity net gain. As the development has already commenced, the condition requiring the submission of details has been worded in such a way that the use should cease in the event of any failure to comply with this requirement.

Conclusion

61. For the reasons given above, the appeal should be allowed.

Joanna Gilbert

INSPECTOR

Appearances

For the Appellant:

Brian Woods BA(TP) MRTPI	WS Planning and Architecture
Les Stevens (Senior)	Appellant
Les Stevens (Junior)	Member of appellant's family
Breidi Stevens	Member of appellant's family

For the Council:

Ralph Chakadya	Swindon Borough Council
Charles Potterton	Swindon Borough Council
Chelsey Lucas	Swindon Borough Council

Interested parties:

Joanna Rees-Bains	Local resident
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Documents submitted at and after the Hearing:

LE1 Letter dated 9 February 2025
LE2 Letter dated 24 February 2025
LE3 Letter dated 19 February 2024
LE4 Email dated 5 February (No year specified)

- LE5 Note dated 28 December 2024
- LE6 S/11/0207/CLMC Decision notice dated 15 April 2011, officer report and site plan W/11/318-01-B (rev-A) dated 9 February 2011.
- LE7 Email dated 3 March 2025 from the Council with regard to the timetable for the new Local Plan
- LE8 Email dated 3 March 2025 from the Council regarding the description of development and conditions
- LE9 Email dated 3 March 2025 from the appellant regarding the description of development and conditions
- LE10 Email dated 3 March 2025 from the Council confirming no further comment on the appellant's email regarding the description of development and conditions
- LE11 Email dated 4 March 2025 from the appellant confirming no further comment on the Council's email regarding the description of development and conditions

Schedule of 7 Conditions

- 1) This approval shall be in respect of the following plans:
 - Unnumbered Location Plan
 - Unnumbered Block Plan
 - Drawing No. GP/01/24 Proposed Floor Plans and Elevations
- 2) The shared dayroom hereby permitted as part of the development shall be constructed using external facing materials as outlined on Drawing No. GP/01/24. Such facing materials shall be retained thereafter in their approved form.
- 3) Consistent with the Planning policy for traveller sites (December 2024), the site shall not be occupied by any persons other than Gypsies and Travellers, defined as Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
- 4) No more than 1 mobile home and 1 touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed on each pitch at any time.

- 5) No commercial activities shall take place on the land, including the storage of materials, and no vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 6) The parking spaces shall be sited and marked out in the positions shown on the Unnumbered Block Plan and they shall be kept clear of obstruction and not used otherwise than for the parking of vehicles in connection with the use hereby permitted.
- 7) The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 4 months of the date of this decision a scheme for:
 - a) the means of foul and surface water drainage of the site;
 - b) cycle parking;
 - c) hard and soft landscaping, including biodiversity net gain and any fencing. Unless identified to be removed, all existing trees and hedgerows on the land shall be retained. The scheme shall set out measures for their protection throughout the course of development; and
 - d) waste storage and collection(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the Local Planning Authority and the scheme shall include a timetable for its implementation.
 - ii) If within 11 months of the date of this decision, the Local Planning Authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
 - iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

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

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.