



Appeal Decision

by **Grahame J Kean BA (Hons), Solicitor, MRTPI**

Site visit made on 19 September 2025

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/V3120/C/23/3325399

Land at Blewbury Riding and Training Centre, Bessels Way, Blewbury, Oxfordshire OX11 9NH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Ms Jane Dexter against an enforcement notice issued by Vale of White Horse District Council.
 - The notice was issued on 25 May 2023.
 - The breach of planning control as alleged in the notice is: without planning permission, the change of use of land from an equestrian use to that of a mixed use comprising equestrian use and stationing of static caravans and touring caravans with attached tents and non-attached tents, used for residential purposes as well as associated development such as erection of decking, creation of domestic gardens and siting of domestic paraphernalia.
 - The requirements of the notice are:
 - (i) Cease the use of the land for the siting of static caravans identified as 2,3, 4 and 5 and touring caravans and associated tents on the attached plan for residential purposes.
 - (ii) Remove from the land the static caravans identified as 2,3, 4 and 5 including decking, domestic paraphernalia and garden areas.
 - (iii) Remove from the land the touring caravans and any associated tents, non - attached tents and all domestic paraphernalia.
 - (iv) Dig up and remove from the land any hardstanding that has been put down to facilitate the siting of the caravans identified as 2, 3, 4 and 5 and for any garden areas, as well as any hardstanding that has been put down for the touring caravans.
 - (v) Remove all resultant debris and materials associated with undertaking steps (ii), (iii) and (iv) above.
 - (vi) Return the land affected to grass by levelling and laying multi- purpose topsoil to a depth of 100mm and blend with surrounding land levels and seed with grass.
 - The period for compliance with the requirements is: twelve months after the date this notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(d), (e), (f) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. It is directed that the enforcement notice is corrected and varied as follows:

- In the allegation of breach of planning control, insert after “static caravans” the words “as shown on the Area of Statics and Area of Static No 5 on the attached plan and marked 2,3,4 and 5”
- Replace the requirements of the notice with the following wording:

“(i) Cease the residential use of and remove from the land the touring caravans and any associated tents, non - attached tents and all domestic paraphernalia; and

(ii) Remove all resultant debris and materials and return the land affected to its prior condition.”

- There shall be substituted for the plan annexed to the notice, the plan annexed to this Decision.
2. Subject to the corrections and variations, the appeal is dismissed and the enforcement notice is upheld.

The notice, background and preliminary matters

3. The appeal form was completed by a planning agent, JPA Design on 5 July 2023. The initial facts supporting the grounds of appeal were handled by a barrister (PDG) who submitted 3 letters, dated 5 July 2023, 21 July 2023 and 16 August 2023, with accompanying plans. The letter of 16 August 2023 appears to be the most comprehensive in setting out the grounds of appeal.
4. The appeal timetable was sent to the parties on 14 August 2023. The Council sent its statement by the due date of 28 August 2023. No appeal statement was received from the appellant by the required date of 25 September 2023 or at all. The Council's statement was copied to the planning agent on 25 September. No final comments were received from either party by the due date, 17 October 2023.
5. PDG in his letter of 5 July 2023 undertook to “*serve a witness statement*” supporting the ground(s) of appeal but no such statement was received. In his letter of 16 August 2023 PDG said that he had taken over the case from the planning agent. The Planning Inspectorate replied that confirmation from the appellant was required but no confirmation was received from PDG.
6. There were also two LDC applications to site 6 caravans for residential purposes. The first was refused on 17 December 2021 as only caravans “1” and “Z” were considered lawful. The documents before the Council included the appellant's statement, site plan and letters in support which are supplied in this appeal, together with the officer's report and PDG's letter of 16 August 2023.
7. The Council's statement was prepared before the second LDC application was made, however as the information supplied with this application (and the Council's response) are relevant to the present appeal, I have taken both into account.
8. Although not referenced as such, the appellant submits Block Plan no.BLO-001 from the second LDC application, Ref P24/V1305/LDE refused on 13 February 2025. It shows two rectangular areas: “the Statics Area” and “Area of Static No 5”. The former includes Caravans 2,3 and 4 and the latter includes Caravan 5. The plan does not refer to the other specified units marked on the enforcement notice plan which are clearly outside these two areas but within the appeal site. The appellant's case focusses exclusively on the Statics Area and Area of Static No 5.
9. For clarification therefore the notice and plan should be corrected to refer to these areas and the static caravans the target of the enforcement action.

Ground (e)

10. The appeal on this ground is that the enforcement notice was not properly served on everyone with an interest in the land. Statements are submitted confirming service on the day of issue. By s329(1)(b) of the 1990 Act notices can be served

by leaving them at the usual or last known place of abode of the person to be served. The appellant provides no persuasive evidence of incorrect service.

11. It is clear from s172(3) of the 1990 Act that service of the notice shall take place (a) not more than twenty-eight days after its date of issue; and (b) not less than twenty-eight days before the date specified in it as the date on which it is to take effect. PDG's letter of 5 July 2023 actually refers to the appellant receiving the notice "on or about" 1 June 2023. In fact, as might have been recognised, it would not have come into effect until, as it states on its face, 6 July 2023.
12. It should have been apparent to PDG that even if the notice were received on or about 1 June, ie two or even three days either side of the single date given of 1 June¹, there would still be more than 28 days before it was due to come into effect.
13. It should also have been apparent to PDG that s176(5) states that where it would otherwise be a ground for determining an appeal under section 174 in favour of the appellant that a person required to be served with a copy of the enforcement notice was not served, that fact may be disregarded if neither the appellant nor that person has been "*substantially prejudiced by the failure to serve him [sic]*". However, even if the notice were not timeously received, no explanation is given as to how, if at all, the appellant has been prejudiced as a result.
14. No more detailed explanation is given for the appeal on this ground. It is likely that the appellant received the notice within the period set down in s172(3) but in any case, I am satisfied that she was able to make this appeal within the relevant time limits and without being caused any or any substantial prejudice. The case made on ground (e) is without any merit and the appeal on this ground fails.

Ground (d)

15. An appeal on this ground is that at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice. The burden of proof in a ground (d) appeal falls to the appellant and the test of the evidence is on the balance of probability. The onus is on the appellant to prove his case on the balance of probability, using precise and unambiguous evidence.
16. The relevant part of s171B in this case is sub-section (3) which states that in the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of breach.
17. The main issue is when, if at all, the use of the land materially changed from an equestrian use to a mixed use including the siting of static caravans, tourers and tents for residential purposes, identified as caravans 2,3, 4 and 5 and tourers and tents marked with an X, on the plan attached to the notice.
18. In this case it is helpful to consider the relevant planning unit(s) within the site and whether a material change of use has occurred establishing in effect one or more separate planning units. The planning unit is usually the unit of occupation, unless a smaller area can be identified which is physically separate and distinct, and/or occupied for different and unrelated purposes. Whether an occupier of land has created a new planning unit is a question of planning judgement.

¹ For example see *Blackett v Clutterbuck Brothers (Adelaide) Ltd [1923] SASR 301* at pp 306, 307 where Murray CJ considered a day or two on either side or perhaps three would be the most that could reasonably be held to be covered by the expression.

19. Unlike with the first LDC application the delegated report for the second LDC application does discuss the planning unit. It notes the bunds and fences around the two areas the subject of that application, ie the Statics Area and the Static Area No 5. The Council considers they are not *“significant enough to create clear and separate areas as distinct planning units from the rest of the overall site.”*
20. A caravan site is defined in s1(4) Caravan Sites and Control of Development Act 1960 (1960 Act) as land on which a caravan is stationed for the purposes of human habitation and land used in conjunction with land on which a caravan is stationed.
21. I saw that the “Statics Area” and “Area of Static No 5” could be considered as discrete areas within the appeal site. The latter area was surrounded by high fencing. Caravans 2, 3 and 4 were situated in the former area, essentially a single plot of land that included a common parking area for the van occupiers, situated between the vans and an adjacent field that was part of the wider appeal site but separated from the plot by mainly vegetative boundary treatment. A small post box was sited by each unit to the front, which also had vegetative boundary treatment save at the access points. Planting around each caravan defined small curtilages.
22. The grounds of the wider appeal site are extensive and already contain caravans that are accepted to be lawfully sited, but others – the tourers – are (which is not disputed in this appeal) not lawfully sited. To explain, the static caravans marked No 1 and Z on the LDC site plan are already accepted as lawful and not subject to the requirements of the notice. It is assumed that these vans are in some way ancillary to the equestrian centre use. As to the tourers, one is by the entrance, three are grouped together in an open field at the western end and two are on hardstanding in the area used for equestrian purposes. Two tourers are close to, but outside Area of Static No 5. It is undisputed that the tourers, attached and non-attached tents and associated paraphernalia stated in the notice, are all used residentially. The appellant makes no case for their immunity from enforcement.
23. The summaries of the planning history are of limited assistance. Planning permission was granted in June 1983 Ref P83/V0127 to site a mobile home and others in 1988 and 1991 to retain two caravans *“until building of dwelling is completed”*. A caravan site licence, 17 November 1988 for one caravan and another for two caravans seem to have been issued but it was unclear to which caravans they refer. A community charge account of 12 November 1992 is noted for “Caravan 1”, a Council tax bill of 1 April 1993 for “Caravan 3” and the Council tax address for the structure Z, was apparently Caravan 3, Blewbury Centre.
24. There are paths and a single driveway through the appeal site to its main entrance, apart from which no other land appears to be used in conjunction with the Statics Area and Area of Static No 5. Control is generally exercised by the appellant as site owner over the whole site. There appear to be no other communal uses in the wider site used by the occupants of the Static Area or Area of Static No 5, apart from the access to the entrance. Gas has previously been delivered to the static caravans individually and electricity and water are supplied to the whole site.
25. From the foregoing, including what I have seen, I find that the Statics Area and the Area of Static No 5 are separate units that currently comprise use for the siting of caravans for residential purposes. Buttonmead, the appellant’s residence by the

entrance is somewhat separated from the rest of the appeal site but clearly its owner is intimately connected with the adjoining equestrian use. Thus, save for the two Areas, the appeal site has in my opinion remained in a primary equestrian use.

The documentary evidence

26. The delegated report from the first LDC application notes aerial images and google street views. It concludes in summary that caravans 2, 3, 4 were not sited continuously as shown on the LDC site plan (these are the same places as marked on the corrected enforcement notice plan). It also concludes there were periods within the 10-year period when no caravan was seen to be present on site.
27. As to caravan No 5, the report noted that it was said to be occupied and owned by WT who came there in a large bus/coach in the late 1990s, and in 2015/2016 he swapped it for static caravan No 5. On that basis, it is claimed that the caravan has not been stationed in Area of Static No 5 for 10 years or more.
28. The appellant's statement made in April 2021 for the first LDC application indicates that she bought the wider appeal site, Blewbury Centre from her mother in 1986 at which time it contained static caravans. She mentions three such caravans sited next to each other, all behind the close boarded fence and gate as one entered the site from Blewbury Road, some 100m on the right-hand side. The report states:
"The applicant, Jane Dexter, has run Blewbury Centre since 1986. Her house at the front of the site was built in 2009. Before the construction of her house, three static caravans were sited at the front of Blewbury Centre (i.e. where the house is now located) and Jane lived in one herself... Those caravans were moved onto the opposite side of the driveway during the construction of the new house and they have remained there ever since. These are the caravans numbered 2, 3 and 4 on the site plan."
29. D stated that after her house was built in 2009 the three static caravans were relocated in 2010, *"two of them are now sited on the opposite side of the driveway, on the left coming in from the road. The third was put in place a short while after that."* She added that they are lived in by people unable to find accommodation.
30. The report quotes from the first LDC application covering letter to the effect that Caravan 5 was occupied and owned by WT who had lived at Blewbury Centre since the late 1990s, initially in a large bus, but in the static caravan "in more recent years". D's statement bears out the position in more detail:
"The bus/coach was parked on the hard standing close to [where] the static caravans now are and marked Z on the site plan. However [WT] moved his bus to the area marked on the site plan as static caravan no. 5 in 1998/99. In 2015/16 he swapped his bus for the static caravan that is now no. 5 on the site plan."
31. D added that none of the static caravans had their own utility bills but used electricity and water supplied to the whole site, paid by Blewbury Centre. A letter from Didcot Calor and Paving Centre Ltd is noted in the report to the effect that gas was delivered to static caravans since the mid-1990s.
32. In the vicinity of Caravan No 5 a Z is marked on the LDC site plan to indicate a structure that was two static caravans occupied by staff since 1997 next to the indoor riding arena, but joined together by a shared utility room several years ago. The delegated report also notes that a CT was aware in spring 2006 of "W" living

on site in a fenced area behind a workshop, initially a bus, then replaced with a static caravan “in recent years”. Otherwise, the letters and emails summarised in the report are vague as to what caravans are being described, their location and duration on site.

33. The table in the officer’s report comments on the aerial images. Taken at face value, it suggests that as at July 2011, one could see no caravans in the locations of caravan 3 or 4 and it looked like there was no caravan 2 in the alleged location. The next image is described as Aerial Photo 2014/16 of which it was said *“a new smaller barn in the area of 2, 3, 4. Looks like 2 rectangular structures adjacent to this barn. One in the current location of caravan 3”*.
34. The next image is a “Streetview September 2016” of which the officer says: *“can clearly see no caravans sited in the locations of 3 and 4. Through the barn closest to the road it does not look like any caravan in location of 2 either – as you can see side of new smaller barn.”* The aerial image 2015/18 is described as *“Structure which was in the location of caravan 3 in 2014/2016 photo has gone. Nothing is sited here. Looks like a caravan is sited in location of current caravan 2. A touring caravan is shown in the current location of caravan 4.”* The next image “Latest google maps 2021”, is referred to as showing “caravans 2, 3, 4 in areas identified on site plan” and the final image April 2021, is reported to show *“caravans sited in locations 2 (through barn), 3, 4.”*
35. The delegated report concludes that: a) the photographic evidence contradicts the applicant’s evidence and on the balance of probability caravans 2, 3, and 4 had not been sited more than 10 years (ie before the first LDC application; and b) on the applicant’s own evidence, caravan 5 had not been there for ten years.

Evidence from the second LDC application

36. The report of the agent (JPA) is dated 3 June 2024. JPA claims some expertise in interpreting aerial images over some twenty years of professional practice. He commented on the images for the period 2005 to 2023. For Area of Static No 5 the Council stated that the JPA report claimed the photographs showed that the coach was occupied in 2005 and replaced in 2017 by a mobile home which remained in situ. However, JPA’s conclusions are:

“These photographs suggest that a stationary 9m (30’) long coach occupied the same piece of concrete ramping from at least January 2005 to 2009. It remained in exactly this position. Who occupied it and for what purposes is for others to say. The coach did not move. To begin with, it had a mobile home alongside it. By 2009 the mobile home was removed. The coach stayed in position. In 2010 the area enclosed by the purple line was fenced in. By September 2017 the coach had been removed and on the same footprint was put a mobile home slightly bigger than the coach. The mobile home that can be seen now is the same one. The fence remains in position.”

37. For the Area of Statics, the JPA report stated:

“...the photographs suggest that up until 2009 the area...was part of a 3 acre paddock to the south of the driveway. By May 2009 some steps to convert this corner of the paddock into a yard had been taken. Ballast or roadstone has been deposited; the earth seems a different colour in this area which may show that it has been partly cleared. From January 2010 we see that this area is now being

used differently. It has two large static caravans on it. In 2012 a small shed was put up in the middle of this area. A bad [sic] photograph [ie taken in bad weather] shows the shed and a number of white roofed objects. The next satellite picture was taken in September 2017. By this point the area is plainly a yard. It has hardstanding, a static caravan, the small shed and a defined entrance and exit. By May 2020 the three large caravans are in the positions they are in today. By 2023 we see a cleared yard, a defined entrance and exit, and the same three static caravans in the same position. There is one small tourer."

38. Perusing the aerial images submitted for this second LDC application, I have no reason to disagree with the JPA conclusions which are presented professionally and objectively. In relation to the Area of Statics, the images might appear to contradict the statements as to the continuous presence of caravans 2,3 and 4, for ten years prior to the issue of the notice, whether or not they were the vans that were relocated from the Buttonmead area. However, the images are a snapshot in time. Consideration must be given to the statements and the combined effect of the evidence.

39. The postman, DW delivered post to the site since 1998. As to the Statics Area he stated that three mobile homes were occupied with small areas of plants and flowers around them, one with decking around it and they had *"been where they are from the time Ms Dexter's house was built - that is from 2010."* He was "pretty sure" they were the same as those installed in 2010. He stated that Static No 5 had always been where it was (his statement is dated 28 December 2023) and it always had a high fence around it. DW also stated:

"After the house was built, I would deliver the post to an office in the centre of the riding school. Because the post included post for the riding centre and the occupiers of the mobile homes we agreed that I would deliver all of the post for people living at the riding the centre to its main office. The staff of the riding centre would then sort out the post and take it to the individual mobile home owners."

"The first change was the removal of the old mobile homes - in which Ms Dexter had been living - some time after the house was finished. So this would be in 2010. The second change was after the mobile homes were removed. Some time after they had gone the new mobile homes arrived. This would be either in 2010 or 2011. They did not all arrive at once. I think there were only two to begin with and then the third joined them."

40. CT took riding lessons at the equestrian centre from 2004 and during or before this time came regularly to help the Wantage Riding for the Disabled Association when they started running their sessions there. She stated:

"The real change came when Ms Dexter's house was built. This was when her caravan was moved from the righthand side of the drive to the lefthand side. It was put with another caravan in the area shown on the plan as the pink area [Statics Area]. There were caravans in this area from that time. I would see them as I entered the yard. They may have been changed from time to time. Today there are three caravans there. They may be different from the originals put there in 2010 but they seem to me to be in more or less the same position."

41. As for caravan No 5, CT stated there was a 6' fence all around it, she had little to do with its owner and the caravan had never moved but was in the same position with the same fence around it as when she came to the riding centre in 2005.

42. AB's statement is to the effect that to the left of the entrance were two/three static caravans set in a small area of hardstanding, which was identified as the Statics Area. She remembered these caravans being there from about 2010, of the same size and quality and in more or less the same positions now as 13 years ago.
43. AL who continues to deliver gas cylinders to the site and has done so since the mid-1990s, with respect to the Statics Area, stated that as far as he could remember the static caravans had been on the left-hand side of the driveway since Ms Dexter's house was being built.
44. CE visited the centre in 2010 with her daughter most weeks of the year and stated:
"I took little notice of which caravans were moved but I can say that the 3 caravans originally on the right hand side of the drive were later at some point were scrapped. Once these old caravans were taken away, some new ones appeared. These were put in the same area as the old ones. The area where they put was an area of hardstanding opposite to where the original caravans had been. This is the area where there are 3 caravans today. I do not know whether these caravans were moved again. The caravans that are there today are in the same area of hardstanding. They may have been moved from time to time within this area. From 2010 I used to visit the riding centre regularly. I used to help put with show jumping and dressage we put on at the centre. I was going there several times per week – and...There were never more than 3 or 4 caravans [i]n this area. After the old ones were scrapped the newer ones were brought in. They were clearly occupied. They seemed fairly permanent. They had flower pots and little gardens outside them. They were clearly someone's home. From that time - 2010 - until today there have always been caravans in the area to the south/left hand side of the driveway."
45. RD visited the centre regularly from 2000. Of the Statics Area she states:
"This area was cleared and an area of hardstanding put down. I remember three static caravans being in this area. I stayed in one of these for a while in 2011. I cannot say whether the caravans in the pink area today are the same. They may well have been moved about but they always were in this area on the south of the drive. The people living in these caravans were usually contractors working in the area. Ms Dexter would refer to them as 'contractors'...I can say that when I would visit from 2010 onwards - after Jane's house was built- that this area was used for residential caravans and is still used for this...So far as moving these caravans is concerned, if they have been moved then this has been by a small distance. The three that are there today are within the same area of hardstanding but they may have been moved within this area."

Caravan No 5

46. By s29(1) of the 1960 Act "caravan" means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any other motor vehicle so designed or adapted." The delegated report notes that no evidence was supplied that the motor coach/bus was physically altered or adapted for human habitation, and not merely lived in.
47. However, the delegated report for the first LDC application notes a February 2021 letter from PS to the effect that at the bottom of the car park there was an "originally converted double decker bus" replaced by a static and then replaced by

a more substantial static. Also, the appellant's own statement refers to the occupant coming to the centre in a large bus/coach in the late 1990's needing somewhere "*to work on converting it to live in*". Indeed it would be surprising in my view if, during the several years during which the bus/coach was occupied, it had not been adapted in some way to facilitate its use as residential accommodation.

48. In my opinion from the information supplied, it is probable that the vehicle was "adapted for human habitation" for the purposes of s29(1) and capable of falling within the definition of a caravan. It appears to be common ground that it was replaced around 2016. Based on what I have read and seen, as a matter of fact and degree I consider it probable that a caravan has been in the Area of Static No 5 continuously for 10 years prior to the issue of the enforcement notice in 2023.

Area of Statics

49. Once use of land as a caravan site is established, the use of a discrete area of land within it for the siting of a caravan or caravans, ie its exact location, becomes less relevant and indeed the totality of the evidence would suggest that caravans were moved from time to time on the Area of Statics. I acknowledge that the statements are not sworn evidence but that is not say that they carry little weight or that the aerial images necessarily contradict what was being said in those statements. Several of the makers were and are known personally to the appellant but I have no reason to doubt, and it is not suggested that there is any complicity among them, or that they were not made in good faith. Clearly there are discrepancies among them, but the overall picture seems clear to me, in that the Area of Statics had come to be used as a caravan site by May 2013.
50. Although sworn statutory declarations are helpful and can carry significant weight, they are not essential where sufficiently precise and unambiguous evidence has been provided to support the claims being made. In this particular case not all of the evidence is individually precise and unambiguous, but collectively, there is sufficient information in my judgement to show it is more likely than not that the Area of Statics was in use as a caravan site from around 2010 to 2011, ie by 2 May 2013, more than ten years before the relevant date.

Conclusion on ground (d)

51. For the reasons given, the appeal on ground (d) must fail in respect of the touring caravans with attached tents and non-attached tents, used for residential purposes as well as associated development such as erection of decking, creation of domestic gardens and siting of domestic paraphernalia outside the Statics Area and Area of Static no 5.
52. However, no enforcement action could be taken in respect of the Statics Area and Area of Static No 5 at the date the notice was issued and the appeal on this ground must therefore succeed in respect these two areas of land.

Ground (f)

53. An appeal on ground (f) is that the requirements of the notice are excessive, and lesser steps would overcome the objections. By s173(4) of the Act, the purpose of the requirements may be to: (a) remedy the breach of planning control that has occurred, or (b) to remedy any injury to amenity which has been caused by the breach. Reading the enforcement notice as a whole its purpose is to remedy the

breach of planning control by requiring the residential use of the specified caravans to cease and the land restored to its prior condition.

54. On a ground (f) appeal less onerous steps may suffice if they achieve the aims of the notice equally well. With respect to the requirement to return the land to grass and laying topsoil, this is more likely to be relevant to the static caravans. The tourers I saw were mainly sited on grass and did not appear to me to require this remediation. Others were on hardstanding that appeared to form part of the equestrian centre's activities, hardstanding that it is unlikely the Council intended should be removed. In the circumstances it would be appropriate to vary the requirement to secure that land affected by the siting of the tourers is restored to its prior condition, which I am satisfied would not cause injustice to either party.
55. The appeal on ground (f) succeeds to this extent only.

Summary

56. I find that the pre-existing lawful use of the appeal site prior to the issue of the notice was, with the exception of the Area of Statics and Area of Static No 5, an equestrian use as alleged (the main use). There is no evidence that the caravans previously accepted by the Council as lawfully sited, ie marked No 1 and Z, do not provide accommodation that is in some way ancillary to the main primary use. Part of the site known as Buttonmead is used as the appellant's residence. Although it is more or less a physically separate area, it is intimately connected with the main use and it is unnecessary for present purposes critically to examine whether it is other than incidental to that primary equestrian use.
57. The appeal does not contest the unlawfulness of the change of use to a mixed use by reason of the siting of the tourer vans and their accoutrements, therefore the requirements of the notice will be upheld in this respect. However I find on the evidence that as a matter of planning judgement it is probable that the use of the Area of Statics and Area of Static No 5 as they existed ten years before the notice was issued, was as caravan sites whose residential use had been continuous and active during that period and in respect of which separate planning units exist.

Conclusion

58. The appeal on ground (e) fails. For the reasons given above, I conclude that the appeal should succeed on ground (d) in relation to parts of the land only, and the notice will be varied accordingly. In respect of ground (f) the requirement as it relates to the tourers is excessive and will be varied accordingly. I will uphold the notice with corrections and variations.

Grahame Kean

INSPECTOR

Annex: Plan referred to in Appeal Decision Ref APP/V3120/C/23/3325399

