



Appeal Decisions

Site visit made on 13 May 2026

by Jessica Graham BA (Hons) PgDipL

an Inspector appointed by the Secretary of State

Decision date: 13 July 2026

Appeal A Ref: APP/Q3630/C/26/3377703

Appeal B Ref: APP/Q3630/C/26/3377704

Appeal C Ref: APP/Q3630/C/26/3377705

Appeal D Ref: APP/Q3630/C/26/3377706

Appeal E Ref: APP/Q3630/C/26/3377707

Appeal F Ref: APP/Q3630/C/26/3377708

Land Adjacent to Warren Farm, Green Road, Thorpe, Surrey, TW20 8QT

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeals are made by Patrick Stokes (Appeal A), Lorraine Stokes (Appeal B), Alfonso Stokes (Appeal C), Mary McQueen (Appeal D), Lee Hegarty (Appeal E) and Mary Hegarty (Appeal F) against an enforcement notice issued by Runnymede Borough Council.
- The notice was issued on 5 January 2026.
- The breach of planning control as alleged in the notice is: Without planning permission,
 - 1) the material change of use of the Land edged red on the attached plan for the siting of mobile homes and touring caravans for a residential caravan site use, and associated vehicles and paraphernalia; and
 - 2) the laying of hardstanding and the erection of a pony shelter (in connection with the use stated above).
- The requirements of the notice are to:
 1. Cease the use of the Land as a residential caravan site
 2. Remove from the Land all mobile homes, touring caravans and any associated vehicles and paraphernalia
 3. Demolish and/or remove from the Land the pony shelter marked "X" on the attached Plan
 4. Remove from the Land all hardstanding
 5. Remove all waste material from the Land
 6. Restore the Land to its condition before the development took place.
- The period for compliance with the requirements is twelve months.
- The appeals are proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of Decisions: the appeals are dismissed and the enforcement notice is upheld.

Procedural matters

1. On 24 October 2025 the Appellants submitted a planning application for the development of the Appeal Site for "The siting of 2no 15 x 6m static mobile homes and 2 x touring caravans for residential use and associated parking for 4 vehicles, 2no stables and a tack room for Gypsy and Traveller Family Base." On 5 November 2025 the Council wrote to the Appellants' agent advising that the application could not be processed unless further information (including accurate plans, a Habitat Survey and a Flood Risk Assessment) was provided.

2. The requested information was not provided, and on 5 January 2026 the Council issued the enforcement notice. The appeals against it were lodged in February 2026, and were originally proceeding on ground (g) only (that is, that the time given to comply with the notice was too short). The Appellant's agent explained that reports had been commissioned in response to the Council's request for further information: the ground of appeal was that the compliance period be extended until the Council had determined the planning application.
3. After further consideration, the Appellants' agent requested that ground (a) be added to the Appeals (that is, that planning permission should be granted for the matters stated in the notice). The Council then took the decision to "withdraw" the planning application submitted in October 2025, on the basis that the planning merits of the unauthorised development would now be considered under ground (a) as part of the appeal process.
4. At my site visit, the Appellants' agent referred to a Landscape Plan and Flood Risk Assessment submitted in support of the October 2025 planning application, neither of which I had seen. In the interests of fairness, and to ensure that all of the relevant evidence is before me when I consider the planning merits of the deemed application, the Planning Inspectorate wrote to the Appellant's agent inviting them to submit all such documents and surveys (including the Flood Risk Assessment and Landscape Plan) as were obtained to support the Appellants' original application for planning permission. The information provided in response to this invitation was then copied to the Council, for its comments.

The appeals on ground (a)

5. The Appeal Site is an area of land of some 0.148ha, adjoining the eastern side of Green Road in the village of Thorpe. It is part of the Green Belt, and is designated Flood Zone 3b (functional floodplain). The Appeal Site is within 5km of the Thames Basin Heath Special Protection Area. The Appellants, who are the owners and occupiers of the Appeal Site, meet the Government's definition of Gypsies and Travellers.
6. The main issues then, when considering whether planning permission should be granted for this development, are the risk of flooding; the effect of the development on protected habitat; whether the development is "inappropriate development" in the Green Belt, and if so, whether it is justified by "very special circumstances"; the effect on the character and appearance of the area; the need for, and provision of, Gypsy and Traveller sites; and the personal circumstances of the Appellants.

Flood Risk

7. The Council's Strategic Flood Risk Assessment identifies the Appeal Site as lying within Flood Zone 3b, the functional floodplain. Flood Zone 3b is land that has a high probability of flooding, being land where water from rivers or the sea has to flow or be stored in times of flood.
8. The Appellants dispute the categorisation of the Appeal Site as part of an area that has a high probability of flooding. They have provided photographs to show that on Friday 27 March, when Chertsey was flooded, the Appeal Site and surrounding area were not. I have no reason to doubt that was the case, but it only addresses one incident: in different seasons, and under different weather conditions, different

types of flooding event may occur. I am told by local residents that the area is known locally to flood following periods of heavy rainfall, and that the River Bourne has a history of flooding within the area of the development, but since the Appellants have not provided a site-specific flood risk assessment¹ I have no evidence concerning the frequency, duration, extent or impact of such events.

9. The Environment Agency, which is responsible for mapping flood risk in England using the national datasets it develops and maintains on behalf of the government, has confirmed that on the basis of its current modelling the Appeal Site lies within the functional floodplain.² In the absence of any substantive evidence to contradict that finding, these appeals have to be determined on the basis that the development lies within Flood Zone 3b.
10. The approach taken by national and local planning policy is to apply a sequential risk-based approach, to direct new development away from areas at highest risk of flooding. Caravans and mobile homes intended for permanent residential use are considered to be highly vulnerable development for planning policy purposes, and the Government's *Planning Practice Guidance* (PPG) states that such development should not be permitted in Flood Zone 3. The PPTS also states that local planning authorities should ensure their policies do not locate Traveller sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans. This is reflected in the criteria set out by Policy SL22 of the Runnymede Local Plan 2030, which include the requirement that sites for Gypsy and Traveller pitches are in Flood Zone 1, or - if it can be demonstrated that both the sequential and exception tests are met - Flood Zone 2.
11. The PPG indicates that the Sequential and Exception tests are not applicable to Highly Vulnerable development in Flood Zone 3. The National Planning Policy Framework (NPPF) makes provision for situations where development is necessary in areas at the highest risk of flooding, which might arguably apply in situations where (as here) there is a significant shortfall in the provision of Traveller pitches, and no suitable alternative sites available to the Appellants can be identified: however, in such situations, it would still need to be shown that the development could be made safe for its lifetime, without increasing flood risk elsewhere.³
12. The Appellants have not provided any proposed measures to make the development safe during flooding events. The whole of the Appeal Site falls within Flood Zone 3b (the functional flood plain), with no safe means of escape for the occupiers to an area of land wholly outside of the flood plain. Using the mobile homes as safe refuges would be likely to put pressure on emergency services, particularly as access to the Appeal Site could be hazardous in extreme events: the touring caravans, parked vehicles and other domestic paraphernalia would be at risk of being mobilised by flood water.
13. Developments in high flood risk areas must also demonstrate that they do not increase flood risk elsewhere, which requires an assessment of their effect on flood flow and storage. While the hardstanding that has been laid on the Appeal Site could potentially have adverse consequences for both flow and storage, it

¹ Required, by paragraph 181 of the NPPF and by Policy EE13 of the Local Plan, for all development in Flood Zones 2 or 3.

² By email to the Council dated 11 March 2026

³ Paragraph 170 of the NPPF

would be possible to impose a condition requiring its removal, or replacement with a suitably permeable alternative. However, there would still be a loss of flood storage capacity due to the presence of bases for the mobile homes and the stable building, as well as any foul-water management infrastructure installed below ground. The plan labelled “Proposed site layout”, dated January 2026, also shows additional built development in the form of a bin store and a utility block. No compensatory measures, which would have to be provided outside the existing floodplain but be hydraulically connected, have been proposed.

14. In summary, there is a risk of serious flooding of the Appeal Site, during which there would be no safe escape route for the occupiers of the mobile homes. The development increases flood risk, on the Appeal Site and elsewhere, and the risk to the Appellants and their children during flood events would be significant. The development is therefore contrary to national planning policy and guidance, and conflicts with Local Plan Policies SL22 and EE13, which seek to reduce flood risk.
15. I can understand the Appellants’ frustration with the implications of flood risk policy, given that the Appeal Site is surrounded by existing residential properties. However, the vast majority of those were constructed many years ago, when the policy approach to flood risk was very different, and hydraulic modelling was not so advanced. Nowadays, any proposal to build a new dwelling in Flood Zone 3b would (as with the siting of a residential caravan) be required to demonstrate compliance with a variety of stringent requirements. In each case, the burden of demonstrating that those requirements can be met rests with the person proposing the development. The PPG explains that for small developments a short and simple flood risk assessment is likely to be sufficient, but *as a minimum* [my emphasis], it needs to show that the development will be safe for its users for the intended lifetime of the development, without increasing flood risk elsewhere, and be sufficiently flood resistant and resilient to the level and nature of the flood risk. That has not been demonstrated here.

Ecology

16. The UK Government has national and international obligations for the protection of a range of natural habitats and associated flora and fauna. These include Special Protection Areas (SPA) for wild birds and their habitat. The Conservation of Habitats and Species Regulations 2017 (“the Habitats Regulations”) provides that planning permission can only be granted where any adverse effects on the integrity of such habitat sites can be ruled out. If an adverse effect cannot be ruled out, and if there are no alternative solutions, the development can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.
17. The Appeal Site is less than 5km of the Thames Basin Heaths SPA. The internationally important birds supported by this heathland habitually nest on the ground or within low-level vegetation, and are therefore vulnerable to disturbance from recreational use and predation from wildlife and domestic pets. Natural England Guidance states that within 5km of the SPA, any net increase in residential units (which includes mobile homes and residential caravans, as well as bricks and mortar dwellings) is likely to have a significant adverse effect on the SPA, either alone or in combination with other plans or projects. Consequently,

every application for planning permission for any type of additional residential unit must make provision to avoid and mitigate the adverse effect.

18. One way of doing this is to make a financial contribution toward the provision of “Suitable Alternative Natural Green Spaces” (SANGS), designed to attract people to alternative spaces away from the SPA, thus reducing pressure on it; and “Strategic Access Management and Monitoring” (SAMM), to reduce the impact of visitors. The alternative option is for developers to undertake their own Habitats Regulations screening assessment and then, if necessary, undertake an Appropriate Assessment and propose their own package of avoidance and mitigation measures.
19. The Appellants have not followed either approach. They have not provided a planning obligation to secure a financial contribution towards SANGS and SAMM, the calculations for which are set out in the Council’s *Thames Basin Heath SPA* Supplementary Planning Document (SPD). Nor have they undertaken any screening assessment of their own, or proposed any alternative avoidance and mitigation measures. As a consequence, in light of the Appeal Site’s location and the guidance from Natural England, I cannot conclude that the development is unlikely to have a significant adverse effect on the SPA. Granting planning permission for it, therefore, would conflict with the Habitats Regulations, the NPPF, Local Plan Policy EE10, and the guidance set out in the SPD and chapter 11 of the NPPF.
20. I note the Appellants’ point that the Appeal Site is a very small plot of land, surrounded by existing development. However, the position of Natural England – the Government’s statutory adviser for the natural environment – is clear: all new residential development within 5km, of whatever size, will increase recreational pressure on the SPA, so an agreed method of mitigating that adverse impact through financial contributions has been set out in the SPD. As an alternative to making a financial contribution it remains open to anyone proposing a new residential unit to submit their own evidence to demonstrate that their particular proposal would not adversely affect the SPA, or that any adverse effect could be mitigated in some other way, but I have not been provided with any such evidence here.

Green Belt

21. The NPPF explains that when considering any planning application, substantial weight must be given to *any* harm to the Green Belt, including harm to its openness. “Inappropriate development” is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, which will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.
22. The starting point is that all development in the Green Belt is inappropriate, unless one of the exceptions set out in paragraphs 154-155 of the NPPF applies. There is an exception that is potentially applicable to Gypsy and Traveller sites, if (as is the case here) there is a demonstrable unmet need for them, and that is where they utilise “grey belt” land. However, the NPPF definition of grey belt land excludes land where the application of policies in footnote 7 would provide a strong reason for refusing or restricting development. These include NPPF policies relating to habitats sites, and areas at risk of flooding.

23. For the reasons set out above I have found that the development would conflict with these NPPF policies. The extent of that conflict amounts to a strong reason for refusing permission, which means that the development of the Appeal Site cannot be said to utilise grey belt land, and so amounts to inappropriate development in the Green Belt. Having established that the development is inappropriate, it is necessary also to consider its impact on openness: paragraph 142 of the NPPF explains that the fundamental aim of Green Belt policy is to keep land permanently open.
24. Historic ariel imagery provided by the Council shows that in 2019, there were mature trees covering a large extent of the Appeal Site. In January 2024 the owner of the site removed the trees. It was open to him to do so, because the trees were not covered by a Tree Protection Order, and the Appeal Site is not within a Conservation Area. The enforcement notice – quite rightly – does not include the removal of the trees as part of the alleged breach of planning control, or specify replacement planting as one of its requirements. It follows that the removal of the trees should not be taken into account when assessing the impact of the development on the openness of the Green Belt.
25. Immediately prior to the unauthorised development here at issue, then, the Appeal Site was an area of flat and open land. The introduction of residential mobile homes, touring caravans, vehicles and stabling have significantly reduced its spatial openness. The close-boarded fencing that has been erected creates a sense of enclosure, and impedes the longer-range views previously available from Green Road over the Appeal Site and the wider landscape beyond. I conclude that the development has an adverse impact on the openness of the Green Belt.
26. As set out above, the “very special circumstances” necessary to justify inappropriate development in the Green Belt will only exist if the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. I shall return to this assessment as part of the overall planning balance.

Character and appearance

27. The Appeal Site lies outside the village of Thorpe, at the end of a row of dwellings which front on to the south-eastern side of Green Road. It was previously part of a small area of undeveloped land which, together with the mature trees and spacious layout of development progressing north toward Thorpe, provides visual relief from the continuity of built-up form and contributes to the semi-rural character of this section of Green Road.
28. The development of the Appeal Site for residential use has resulted in the loss of a significant part of this undeveloped green space, which has adversely affected the character and appearance of the area. It is important to be clear that it is not the type, or appearance, of the development itself that is harmful; the mobile homes and pony shelter are not out of keeping with the residential character and scale of other existing development, their layout has been thoughtfully designed and well executed, and the Appellants have proposed additional planting and landscaping works (which could be secured by condition) to better integrate the development within the existing street scene.

29. However, even with additional planting and landscaping works, it would remain the case that the loss of the Appeal Site to residential development – whether in the form of mobile homes or bricks and mortar dwellings - would increase the built-up proportion of the area at the expense of the already limited remaining green space. This would detract from the semi-rural character of this part of Green Road and conflict with Local Plan Policy EE1, which expects development to respond to its local context and to make a positive contribution to the townscape.

The need for, and supply of, Gypsy and Traveller Sites

30. The PPTS requires Local Planning Authorities to identify, and update annually, a supply of specific deliverable sites for Gypsy and Traveller pitches sufficient to provide five years' worth of sites against their own, locally set targets. The Council's most up-to-date assessment of the accommodation needs of Gypsies and Travellers is the Gypsy and Traveller Accommodation Assessment (GTAA) it published in January 2018, which identified a need for 83 pitches over the plan period of 2015-2030. However, that assessment was based on the previous and more restrictive definition of Gypsies and Travellers. The Council is in the process of updating the 2018 GTAA to reflect the current definition, and estimates that as a consequence the level of need across the plan period will increase from 83 pitches to approximately 158.
31. The Council's evidence, which is not disputed by the Appellant, is that since the start of the plan period 64 pitches have been delivered, and planning permission has been granted (or a resolution made to grant planning permission) for a further 28. As the Council acknowledges, these figures show that progress is being made, but the unmet need for pitches remains significant, and the Council is unable to demonstrate the five year supply of pitches required by the PPTS. The use of the Appeal Site to accommodate caravans for residential use by Gypsies and Travellers would contribute toward meeting the identified need for more pitches, and this is a material consideration which weighs in favour of granting planning permission for the development.
32. The undisputed evidence of the Appellants is that they were forced to leave the private site where they previously lived, because the owner needed it back to meet the accommodation needs of their own children. The Appellants have not been able to identify anywhere else they could live other than the Appeal Site, and the Council has confirmed that it is not aware of any suitable alternative accommodation available to the Appellants within the Borough. This adds further weight in favour of permitting the development.

The personal circumstances of the Appellants

33. The Appellants are a family which includes four children under the age of 18. One of the children, who has special educational needs, is attending a local school. One of the family members suffers from severe ill health, and benefits from having a permanent address from which to access hospitals and medical appointments. The Appellants have used all of their family savings to purchase the Appeal Site, in order to be able to live near other relatives in the area. Their aim is to secure a settled base in order to put their children through school, and to ensure consistent access to the medical treatment they need.

Other matters

34. A Written Ministerial Statement made on 17 December 2017, which remains in force, made “intentional unauthorised development” a material consideration in planning applications and appeals. It explains that the reason for this is the Government’s concern about the harm caused where the development of land has been undertaken in advance of obtaining planning permission, because in such cases there is no opportunity to mitigate the harm that has already taken place.
35. In this case, the Appellants moved on to the Appeal Site before their application for planning permission, which had been submitted at the same time, could be determined by the Council. Knowingly acting in breach of planning control is a consideration which weighs against the grant of planning permission. However, it is relevant to note that the Appellants had nowhere else they could lawfully go; as the Council accepts, there are no suitable alternative sites available. The Appellants have attempted to regularise the situation by engaging an adviser to prepare and submit a planning application, and have put forward proposals, which could be secured by condition, to limit or mitigate the harm which has already taken place. In these circumstances, I consider that the intentional breach of planning control carries a limited amount of weight in the overall planning balance.
36. Some of the local residents who wrote in opposition to the development expressed concerns about the impact of the development on their house prices. The basis for those concerns is unclear, no evidence having been provided, but in any event the Government has made it clear that “planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property... could not be material considerations”.⁴ It should not need saying that anonymous assertions and suspicions about the behaviour and conduct of the Appellants, made without evidence and apparently based on assumptions to do with their ethnicity, are both immaterial and offensive.

The overall planning balance

37. Applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The location of the Appeal Site within Flood Zone 3(b) is, in the absence of evidence to demonstrate that the development could be made safe for its lifetime without increasing flood risk elsewhere, a fundamental difficulty: locating residential caravan pitches on the functional floodplain clearly conflicts with Local Plan Policies SL22 and EE13. The development also conflicts with Local Plan policies that seek to prevent harm to areas of protected habitat, and to the character and appearance of the townscape.
38. The NPPF and the PPTS are material considerations. The PPTS provides that where (as is the case here) a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, the provisions in paragraph 11(d) of the NPPF apply: that is, planning permission should be granted unless the application of policies in the NPPF, which protect areas or assets of particular importance, provide a strong reason for refusal. The policies in question include those which protect areas at risk of flooding, and areas of protected habit, and as

⁴ Paragraph 8 of “Determining a planning application” published by MHCLG in March 2014, last updated in April 2026.

discussed above I consider that the conflict with these policies provides a strong reason for refusing the development.

39. The best interests of the children is a primary consideration. Establishing an authorised settled base would have many important benefits for them: a fixed and permanent address would improve their access to education and to healthcare provision, and prevent the harmful disruption that arises from being regularly required to move on. However, this particular Appeal Site is located on a functional floodplain, where the benefits to the children of having a settled base are outweighed by the substantial risk of serious flooding. Leaving the Appeal Site may mean the family has to resort to a roadside existence, and I appreciate that this would entail a great many disadvantages; however, living on a site that is prone to flooding would not be in the best interests of the children, given how serious the potential consequences could be.
40. As to other material considerations, the fact that the development was carried out in advance of obtaining planning permission carries some limited weight against approval, but the unmet need for Gypsy and Traveller pitches and the absence of a five-year supply of sites carry considerable weight in its favour, as does the lack of any suitable alternative site that is available to the Appellants. The provision of a settled base for the adult members of the family group - particularly those with significant medical conditions - would normally also weigh in favour of granting permission but here, as with the children, the benefits which would accrue in this case are cancelled out by the dangers of making a home on the functional floodplain.
41. For the reasons discussed above, what has taken place on the Appeal Site constitutes “inappropriate development” in the Green Belt. The NPPF makes it clear that inappropriate development in the Green Belt should not be approved except in very special circumstances, which will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In my judgment, while there are considerations that weigh in favour of the development, they do not overcome the combined weight of the harm to the Green Belt by way of inappropriateness and reduction of openness; the increased risk of flooding; the potential damage to protected habitat; and the adverse impact on the character and appearance of the area.
42. I therefore conclude that on balance, the material considerations in favour of granting planning permission for the development do not, individually or cumulatively, outweigh the conflict with the Development Plan.
43. I turn next to the possibility of making a temporary grant of planning permission, limited to a defined period of time. This can be appropriate in situations where the planning circumstances are likely to change in an identifiable and material way, and I note that here, the Council is aiming to adopt a replacement Local Plan, informed by an updated GTAA, in April 2029. This will need to make provision for more Gypsy and Traveller pitches to come forward, in order to meet the existing (and future) unmet need, so a temporary grant of permission for three years could make it more likely that when the Appellants left the Appeal Site at the end of that period, a suitable alternative would be available.

44. The time-limited harm caused to the Green Belt, protected habitat and the character and appearance of the area would be lesser than if permanent planning permission were granted, as would the risk of flooding. However, I am not persuaded that even with this altered balance, a grant of temporary planning permission can be justified. Importantly, in the absence of any substantive Flood Risk Assessment providing evidence to the contrary, the possibility of significant flooding occurring during a three year period cannot be ruled out.
45. It is important to bear in mind that dismissing these appeals and upholding the Enforcement Notice would make the occupiers of the Appeal Site homeless. This would engage Article 8 of the European Convention on Human Rights, set out in UK Law within Schedule 1 of the Human Rights Act, and concerns the right to respect for private and family life. This is a qualified right, which means that determining whether it may be infringed involves balancing the fundamental rights of individuals against the legitimate interests of others, and the wider public interest. Regulating land use and protecting the environment is in the public interest, and both local and national planning policy place great importance on maintaining the openness of the Green Belt, protecting designated habitat and avoiding the placement of highly vulnerable development in flood risk areas. In these circumstances, I find that the protection of the public interest could not be achieved by any alternative means that would cause less interference with the occupiers' rights.
46. I have also had due regard to the Public Sector Equality Duty to seek to eliminate discrimination against persons with protected characteristics such as ethnicity, to advance equality of opportunity and to foster good relations. However, the benefits that would arise in this respect from permitting the development do not add sufficient weight to overcome the clear conflict with the Development Plan and national planning policy.

Conclusion on ground (a)

47. Taking all of the above into account, and having considered all of the other matters raised, I conclude that dismissing the appeals on ground (a) and refusing to grant planning permission for the development is both proportionate and necessary.

The appeals on ground (g)

48. The ground of appeal is that the period of twelve months, specified by the notice for compliance with its requirements, falls short of what should reasonably be allowed.
49. While the requirement to demolish and remove built development from the Appeal Site could reasonably be expected to be completed within a few months, the requirements to remove the caravans and cease using the land as a place of residence mean the Appellants will have to find alternative accommodation. As discussed above, it is common ground that there are currently no suitable alternative sites in the Borough, there is a substantial unmet need for pitches, and no five-year supply of sites in place: these are all factors which will make the process of relocation particularly challenging for the Appellants. Providing sufficient time to locate and secure an alternative site, so that the family can move straight there and avoid the insecurity and disruption caused by having to lead a roadside existence for an interim period, would clearly be in the best interests of

the children involved. On the other hand, it is necessary in the public interest to limit the duration of the various and serious harms, identified above, that are caused by the development: these will subsist throughout the period that it remains on the Appeal Site.

50. In my judgment, the twelve month compliance period specified by the notice strikes the right balance between these conflicting interests. It provides a longer period than might ordinarily be specified for the vacation of an unauthorised bricks and mortar dwelling, to account for the specific difficulties faced by Gypsies and Travellers in finding suitable accommodation, while placing a reasonable limit on the duration of the harmful impacts and increased risks caused by the existing development.
51. I therefore find that the appeals on ground (g) must fail.

Overall Conclusion

52. For the reasons set out above, I conclude that the appeals should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Formal Decisions

53. Appeals A, B, C, D, E and F are dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Jessica Graham

INSPECTOR