Planning Inspectorate

Appeal Decisions

Inquiry held on 9 July 2024, 21 January 2025, 16-19 and 22 September 2025

Site visits made on 20 January and 19 September 2025

by Thomas Shields DipURP MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal A: APP/B5480/C/23/3316044
Land known as View 1, The Track, Prospect Road, Hornchurch, RM11 3TY

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr G O'Connor against an enforcement notice issued by the Council of the London Borough of Havering.
- The notice was issued on 24 January 2023.
- The breach of planning control as alleged in the notice is Without planning permission, the material change of use of land to use for residential purposes including the stationing of caravans/mobile homes for residential use..
- The requirements of the notice are:
  1. Cease the use of the land for residential purposes;
  2. Remove all the mobile homes/caravans from the site;
  3. Remove all other structures, equipment and other items associated with the residential use of the site;
  4. Remove all hard surfaces, hard core, aggregates, building materials, rubble and debris from area the hatched in black identified in the attached site plan AND;
  5. Remove all accumulated materials from the site when taking steps 1 to 4 above.
- The period for compliance with the requirements is 2 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (d), (f) and (g), of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of Decision: The appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

Appeal B: APP/B5480/W/24/3351165
The View, Prospect Road, Hornchurch, RM11 3TY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr J. F. Chutter against the decision of the Council of the London Borough of Havering.
- The application Ref is P0153.20.
- The application sought planning permission for use of the land for the stationing of 5 caravans for residential purposes without complying with conditions attached to planning permission Reference: T/APP/C/89/B5480/10-11/P6, dated 16 November 1989.
- The conditions in dispute are Nos. 1 and 2 which state:
  C1: The use hereby permitted shall be carried on only by John Francis Chutter and shall be for a limited period being the period during which the premises are occupied by john Francis Chutter.
  C2: When the premises cease to be occupied by John Francis Chutter the use hereby permitted shall cease and all caravans, materials and equipment brought onto the premise in connection with the use shall be removed.

Summary of Decision: The appeal is invalid and no further action is taken.

Preliminary Matters

1. The relevant appeal site in Appeal A is as shown by the red line on the plan attached to the enforcement notice and is located off an unmade part of Prospect Road, Hornchurch (referred to as "the Track") within the Metropolitan Green Belt. Approximately half of the site, referred to at the Inquiry as the "original" site, had for many years been occupied as a Gypsy and Traveller site. This original part of the site is subject of Appeal B.

2. During the course of the appeal procedure the appellant's initial grounds of appeal in Appeal A were extended to include grounds (b) and (d). It was also confirmed at the Inquiry that the appellant no longer sought to pursue an appeal on ground (c).

3. In Appeal A the parties agreed that some minor corrections to the enforcement notice should be made for the sake of clarity. These include in the alleged breach the deletion of the words "residential purposes including"; the substitution of the word "site" for "land" in the notice requirements; and the substitution of "mobile homes/caravans" for "caravans" in the alleged breach and the notice requirements. These alterations would not result in injustice to any party and I will therefore correct the notice accordingly using powers available to me under s176(1) of the Act.

4. Matters in dispute between the parties include the validity of Appeal B and to what extent the outcome of Appeal B, if valid, would be relevant to Appeal A. It would be more logical therefore for me to deal with Appeal B first before going on to consider the matters in Appeal A.

5. All oral evidence from witnesses at the Inquiry was given on Oath or Affirmation.

APPEAL B

6. Planning permission for the original smaller site in Appeal B was granted on appeal on 16 November 1989[1] ("the 1989 permission") for use of the land as a residential caravan site. It was subject to two conditions as set out in the banner heading above. As such, the 1989 permission was a personal and time-limited permission, being limited to the period of time in which the appellant (Mr Chutter) occupied the land.

7. Mr Chutter's planning application subject of Appeal B was made under s73 of the Act. It sought a new planning permission for the continued use of the site as a residential caravan site without complying with conditions 1 and 2 of the 1989 permission[2]. The application was submitted on 31 January 2020 and made valid by the Council in February 2020. The application details and its validation by the Council indicates that at that time Mr Chutter was still in occupation of the land. Additionally, the evidence of Mr O'Connor and Mr Woods that Mr Chutter did not cease occupation until late 2020 or early 2021 was unchallenged. Given these factors I find that the 1989 permission had been implemented from the date it was granted (even if there was a breach of conditions by other additional people occupying the land) and had not expired when Mr Chutter's 2020 application to vary its conditions was submitted to the Council.

[1] Appeal reference: T/APP/C/89/B5480/10-11/P6
[2] Commonly referred to as an application to vary the conditions of the original permission.

8. Subsequently, after the 8 week statutory period for determination of the 2020 application had passed, no appeal was made against non-determination and the application remained undetermined for just over 4 years until refused by the Council in May 2024. Notwithstanding the 2020 application to vary the conditions was refused by the Council in 2024, I consider the 1989 permission expired in late 2020/2021 following Mr Chutter's permanent departure from the site. As such, the 1989 permission was no longer extant or capable of 'variation' under s73.

9. Mr Masters for the appellant argues that the 2020 application (and now this appeal) nonetheless remain valid and that permission could still be granted by treating the application as if it had been made retrospectively under s73A, and utilising the provisions of s73A(2)(b) of the Act. I turn to this point next.

10. Where a use continues after the temporary period specified in a condition has expired, there will be 'no development' because although the development already exists, it will be in breach of a time limited condition. Hence in this case only condition 2 of the 1989 permission survives, but only for the purposes of enforcement action.

11. Section s73A relates to the granting of planning permission retrospectively for development already carried out, and includes at s73A(2)(b): *"development carried out - in accordance with planning permission granted for a limited period"* and s73A(3)b) provides for such a permission to be 'back-dated' so as to have effect from the end of the original time limited period.

12. However, as I set out earlier, the application was not made retrospectively under s73A, it was made under s73 before the original permission had expired. Hence when it expired the undetermined s73 application was rendered invalid. In these circumstances the more appropriate action would have been to make a new full application under s62 of the Act.

13. Further to the above, the Council point to another reason why the appeal in Appeal B has not been validly pursued on the basis that it was improperly 'assigned' from Mr Chutter (via his daughter) to Mr O'Connor. The Inspectorate's records show no withdrawal of the appeal in Mr Chutter's name or any subsequent indication of 'assignment'. The evidence and submissions I heard for the first time on this matter, very late in the Inquiry, do not lead me to a clear conclusion.

14. Overall, I am not persuaded I should treat the Appeal B application as if it had been made under s73A, and there is no case law before me indicating otherwise. Moreover, no injustice arises to any party by my not doing so. This is because the permission sought in Appeal B and the considerations relevant to it are duplicated in Appeal A. In Appeal A the provisions of s177(1)(a) of the Act allow for planning permission to be granted for all or part of the matters, or for the whole or any part of the land, to which the enforcement notice relates. Hence, this could include granting permission limited to the "original site" area subject of Appeal B.

15. For these reasons I conclude that the 1989 permission expired and is incapable of 'variation' through the provisions of s73 of the Act. As such, the 2020 application subject of Appeal B, made pursuant to s73 to vary the conditions of the 1989

permission became invalid. Accordingly, I will take no further action in respect of Appeal B.

APPEAL A

16. Appeal A includes legal grounds (b) and (d). In these grounds of appeal the onus of providing sufficient proof, tested on the balance of probabilities, falls to the appellant.

Appeal on ground (b)

17. An appeal on ground (b) can only succeed if the matters alleged to have occurred in the enforcement notice had not occurred at the date when the notice was issued. The "matters" may or may not constitute a breach of planning control.

18. The matters stated in the alleged breach in the (corrected) notice is *"..use for the stationing of caravans for residential use"* and relates to all of the land outlined in black on the notice plan. The appellant does not seek to argue that those matters had not occurred when the notice was issued and all of the evidence before me confirms that the use as alleged had occurred as a matter of fact.

19. The appellant's case that part of the appeal site (being the original site area subject of Appeal B) benefits from lawful use rights under s57(4) of the Act, gained through immunity by Mr O'Connor's occupation of the land, is not relevant to ground (b). It would however be relevant to ground (f) as to whether the requirements of the notice are excessive.

20. The appeal on ground (b) therefore fails.

Appeal on ground (d)

21. For an appeal on ground (d) to succeed it must be shown that at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by the matters stated in the notice.

22. The matters in the notice alleged to constitute the breach by way of a material change of use of the land are as stated previously *"..use for the stationing of caravans for residential use"* and relates to all of the land outlined in black on the notice plan. The relevant period of time for which immunity could be accrued is 10 years. The appellant therefore needs to show that the material change of use of the land as alleged commenced before 24 January 2013 and continued for a period of 10 years without any significant interruption.

23. There is no dispute between the parties that the area of land subject of Appeal A comprises, in roughly equal proportions, previously undeveloped land and the "original" developed Appeal B site. It is clear from all the documentary evidence before me, and also from oral submissions I heard from witnesses for both parties, that physical works to create the Appeal A site commenced in 2021 with further development thereafter comprising the importation of more caravans, and residential use of the whole site.

24. The uptake and development of new land and the increase in caravans and residential use across the whole of the site represented a significant and material change in the character of the use of the land as a whole. Indeed, there is no appeal made on ground (c) that the development was not a material change of use or a breach of planning control as alleged. There is also no dispute that this created a new single planning unit. As such, I consider that the original smaller planning unit, was extinguished by the creation of the new planning unit.

25. Given that the breach of planning control as alleged in the (corrected) notice commenced less than 10 years before the notice was issued the appeal on ground (d) must fail.

26. The appellant's arguments, similar to those made in ground (b), in respect of whether the conditions of the 1989 planning permission were breached for more than 10 years by Mr O'Connor's occupation of the smaller original site, so as to become lawful and providing a continuing right of reversion to that use under s57(4) of the Act, is not relevant to ground (d). Such argument relies on the *Mansi*[3] principle which established that an enforcement notice must not prevent a developer from doing something they are entitled to do without planning permission by relying on existing lawful use rights. The argument is therefore relevant to ground (f).

27. The appeal on ground (d) therefore fails.

Appeal on ground (a)/deemed application for planning permission

28. This ground of appeal flows directly from the breach of planning control. Planning permission is sought for the development carried out on the land, being the material change of use for the stationing of caravans for residential use.

29. The appellant's first position is that permission ought to be granted in full for up to 10 pitches. Failing that he seeks permission for 5 pitches limited to an area that would replicate the smaller original site area. In closing submissions the Council accepted that granting permission for 5 pitches on the limited "original site" area was acceptable in planning terms and so do not resist a grant of a conditional planning permission on that basis. Accordingly, I will consider the merits of the smaller site should I find the use of the whole site to be unacceptable.

Main Issues

30. Having regard to the parties' agreed Statement of Common Ground and from the evidence I heard at the Inquiry, it was agreed that matters relating to flood risk and ecology were capable of being resolved through the use of planning conditions. As such, the remaining main issues in dispute for this ground of appeal are:-

    (i) Whether the development would be inappropriate development in the Green Belt;

    (ii) The effect of the development upon the character and appearance of the area;

[3] *Mansi v Elstree RDC* [1964] 16 P&CR 153

(iii) If inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, amounting to the very special circumstances required to justify the development on either a permanent or temporary basis.

Reasons

Issue (i) - Whether inappropriate development in the Green Belt

31. Reflecting the broad approach of the Framework[4] Policy G2 of the London Plan (2021) states that the Green Belt should be protected from inappropriate development and proposals that harm the Green Belt should be refused except where very special circumstances exist.

32. Framework paragraph 155 states that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all of the following apply:-

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework;

33. The 'Golden Rules requirement in paragraph 155d is not relevant in this appeal.

34. With regard to 155b and 155c the parties agree that there is a demonstrable unmet need for Traveller pitches in the area, and that the appeal site is in a sustainable location. I also agree with those views.

35. With regard to 155a the Council argue the appeal site does not utilise grey belt land. Grey belt land is defined in the Framework as *"..land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143".* The Council's case is that the land strongly contributes to "purpose (a)" at paragraph 143, which is "*to check the unrestricted sprawl of large built-up areas".*

36. The Planning Practice Guidance (PPG) advises that in order to identify grey belt land authorities should produce a Green Belt assessment, informed by the PPG guidance in doing so. Amongst other matters, it advises:

- that authorities will need to identify the location and appropriate scale of areas to be assessed;
- ..assessment areas should be sufficiently granular to enable the assessment of their variable contribution to Green Belt purposes; and

[4] National Planning Policy Framework (December 2024)

- authorities should consider where it may be appropriate to vary the size of the assessment areas based on local circumstances. For example, the assessment of smaller areas may be appropriate in certain places, such as around existing settlements or public transport hubs or corridors.

37. In terms of assessing the contribution Green Belt land makes to the purpose of checking the unrestricted sprawl of large built up areas, the PPG provides a table of illustrative features to inform a judgment as to whether the land makes a strong, moderate, or weak/no contribution.

38. In support of its case the Council refer to its 2016 'Green Belt Study' (GBS)[5] and a 2018 'Site Green Belt Assessment and Sustainability Assessment: Final Report' (GBA).[6] The GBS divides the Havering Green Belt into strategic parcels for assessment against 3 of the 5 purposes at Framework paragraph 143. The appeal site falls within Parcel 14. The GBA assessed individual sites for potential release for the Green Belt as part of the evidence base for the Local Plan, and included Plot GB15, a plot approximately 70 metres to the north of the appeal site.

39. The Council's GBS and GBA obviously pre-date the latest version of the Framework and PPG in respect of Green Belt. In my view they do not fully reflect the principles and advice of the PPG I have set out at paragraphs 36 to 37 above with regard to undertaking assessments and identifying appropriate assessment areas taking account of local circumstances. Additionally, the 5 GBS criteria[7] for assessment of purpose (a), and their correlation to the listed categories of importance, ("Paramount; Major; Moderate; Slight/negligible") do not fully align with the 3 PPG categories of illustrative features ("Strong; Moderate; Weak or None"). For these reasons I attach only limited weight to the GBS and GBA.

40. The appeal site lies off the western side of Prospect Road (the Track), close to the western extent of Parcel 14 where it adjoins the north eastern part of the Romford built up area at Harold Wood. Opposite and further to the east on the other side of the Track is the existing (allocated) Grove Traveller site. Further still to the east along the Track there is development comprising mostly residential dwellings with some limited small scale commercial buildings. To the south of the appeal site fronting onto the A127 Southend Arterial Road is the Palms Hotel comprising blocks of 2 storey accommodation with parking and landscaped areas.

41. Having regard to all of this development in the Green Belt and to the PPG I find that the western part of Parcel 14 is not free of existing development. As such, a more granular assessment should be taken of this western area taking account of local circumstances. While it is near to a large built up area it is well contained between the Track and the hotel site to the south, and by the playing fields and wooded area located to the east and south of the main part of Prospect Road. It extends no further outwards into the Green Belt beyond these existing developments and barriers. Overall, in the context of the PPG table of illustrative features and categories, I find this area in which the appeal site is located makes only a moderate rather than a strong contribution to checking the unrestricted sprawl of a

[5] Simon Thelwell proof of evidence - Appendix ST3
[6] Simon Thelwell proof of evidence - Appendix ST4.
[7] "fundamentally; substantially; significantly; negligible; none"

large built-up area. It thereby constitutes grey belt land as defined in the Framework.

42. Since the development of the appeal site would utilise grey belt land, and there is no dispute that it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, it meets the requirements of Framework paragraph 155 and thereby is not inappropriate development in the Green Belt. As such, there is no conflict with Policy G2 of the London Plan (2021).

43. Given I have found the development is not inappropriate there is no need to make any assessment as to its effects on the openness of the Green Belt.

Issue (ii) - effect on the character and appearance of the area

44. As previously described the appeal site is within the countryside and close to the built-up area. There are other residential and commercial uses to the east along the Track and the hotel complex and the main A127 are located to the south. In between are wooded and open areas such that the prevailing character and appearance of the area is predominantly rural with some limited urbanising development.

45. I acknowledge that the LVIA[8] submitted on behalf of the appellant adopted the original smaller site, rather than the whole site, as the baseline for assessment. In this regard Mr Petrow accepted in cross-examination that on the basis of the whole site being unlawful, the adverse effects to landscape character over time would be greater than moderate-to-minor. However, with particular regard to character and appearance, the Council do not resist the granting of conditional planning permission for the original site area. As such, weight can be attached to the LVIA in terms of assessing impacts across the whole of the site as well as the original smaller site.

46. The site would be for up to 10 pitches, with associated hard surfacing and other related operational development. This has resulted in an urbanising form of development, harmful to the character and appearance of the area, albeit in an area where other urbanising development already exists as previously described. Although a part of the site is described by the appellant as being formerly scrubland, it seems clear from aerial imagery submitted to the Inquiry that the formation and layout of the site has resulted in the loss of some mature trees. Additionally, the close-boarded fencing along the site's boundary with the Track is an urbanising feature that appears incongruous with the predominantly wooded or vegetated boundaries elsewhere along the Track. All these factors, taken together, result in significant harm to the character and appearance of the area.

47. The parties referred to the conclusions in an earlier appeal Decision[9] in respect of character and appearance. However, the permission sought under ground (a) in that appeal related solely to operational development and specifically to retaining the fence and hardstanding 'as constructed'. The appeal before me relates to the development of the whole site in respect of a material change of use and therefore the potential for different layouts and boundary treatments can be considered.

[8] Landscape and Visual Impact Assessment, June 2024- Petrow Harley Limited
[9] APP/B5480/C21/3273157

48. As to factors in support of allowing the appeal I note that other than from close-up views from the Track the appeal site is not readily visible from public footpaths or from anywhere else. Also, conditions could be imposed to mitigate the harm I have described. This could include, as part of a site development scheme, the boundary fence to be in-set from its current position to allow for hedging or other landscaping to be established alongside the Track, so as to soften the site's appearance. I also saw during my visits to the site that there is space for additional landscaping and planting within the site, and external lighting can also be controlled. As such, the imposition of such conditions would reduce the harm I have described, albeit there would still remain some limited residual harm in conflict with criterion vii of Policy 11, and Policies 26 and 27 of the Havering Local Plan (2021) (LP).

Planning Balance

49. As set out at paragraph 28 of Planning Policy for Traveller Sites (2024) (PPTS) the lack of a 5 year supply of deliverable sites directs that the provisions in paragraph 11(d) of the Framework apply. Paragraph 11(d) indicates that permission should be granted unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

50. With regard to the Green Belt there is no need for me to consider main issue (iii) as to whether very special circumstances exist since I have found that the development does not amount to inappropriate development in the Green Belt. There is therefore no conflict with Policy G2 of the London Plan. There is also no strong reason for refusing permission with regard to Framework paragraph 11(d)(i).

51. With regard to Framework paragraph 11(d)(ii) there is no dispute that the site is in a sustainable location in terms of providing reasonable access to services and facilities. Additionally, I consider that the provision of 10 pitches in circumstances where the Council is unable to demonstrate a 5 year supply of pitches to meet current need is a benefit that attracts substantial weight.

52. As set out earlier while some harm to the character and appearance of the area could be mitigated through the imposition of planning conditions, there would nonetheless remain some limited residual harm. Consequently there would be some correspondingly limited conflict with LP Policies 11, 26 and 27.

53. While the site is clearly occupied without the benefit of planning permission, the context in this case is that a planning application was submitted (Appeal B) to continue the residential use of the original site by varying the conditions of the 1989 permission. That application was submitted before the 1989 permission expired. Hence, there was no intentional unauthorised development (IUD) to that point. It is the enlargement of that site to its current form and use that falls to be considered as IUD. However, given the acknowledged shortfall of pitches to meet current need in the area, it seems somewhat inevitable that unauthorised sites are likely to emerge

where there are no other available options. Accordingly, I attach little weight to this matter.

54. Overall, I find on balance that the adverse impacts and limited cumulative harm I have identified do not significantly and demonstrably outweigh the benefits. Accordingly permission should be granted.

Conclusion

55. For all these reasons the appeal on ground (a) succeeds and permission will be granted. In these circumstances there is no need to consider the appeals made on grounds (f) and (g).

Conditions

56. In order to mitigate the harm to the character and appearance of the area a condition to require the approval and implementation of a site development scheme (SDS) is necessary. The SDS should include details for the provision of layout of pitches, hard standing, access, external lighting, amenity areas, landscaping and boundary treatment, ecological enhancement, and drainage.

57. Since there is a recognised lack of supply of pitches to meet the needs of Gypsies and Travellers the site is suitable for occupation by any Gypsy or Traveller. As such, a condition is necessary to restrict occupation to such persons as defined in Annex 1 of PPTS (or its equivalent in replacement national policy).

58. In the interest of local amenity and safeguarding the character and appearance of the area conditions are necessary to prohibit commercial activity on the site and parking of vehicles over 3.5 tonnes, and also to remove permitted development rights for additional gates, walls or fences or other means of enclosure, including bunding, unless first submitted and approved in writing by the Council.

FORMAL DECISIONS

Appeal A

59. It is directed that the enforcement notice be corrected by:

- in Section 3 the deletion of the words "residential purposes including";
- in Sections 3 and 5 replace “mobile homes/caravans” with “caravans”; and
- in Section 5.2 and 5.3 replace “site” with “land”.

60. Subject to the corrections Appeal A is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the use for the stationing of caravans for residential use at View 1, The Track, Prospect Road, Hornchurch, as shown edged in black on the plan attached to the notice, and subject to the conditions in Annex A.

Appeal B

61. No further action is taken.

APPEARANCES

FOR THE APPELLANT:

Mr Alan Masters, Counsel	One Pump Court
He called:	
Gerard O'Connor	Appellant
Robert Petrow	Director, Petrow Harley Limited
Brian Woods	Director, WS Planning & Architecture

FOR THE LOCAL PLANNING AUTHORITY:

Mr Charles Streeten, Counsel	Francis Taylor Building
He called:	
Simon Thelwell	Head of Strategic Development
George Atta-Adutwum	Deputy Team Leader Planning Enforcement

DOCUMENTS SUBMITTED AT THE INQUIRY:

ID1	Opening submissions for the local planning authority
ID2	Enlarged aerial images of the appeal site
ID3	Copy of letter form PINS confirming the date of a 2023 site visit
ID4	Jointly produced draft schedule of planning conditions
ID5	Closing submissions for the local planning authority
ID6	Closing submissions for the appellant

Annex A

SCHEDULE OF CONDITIONS

1) 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 and the land restored to its condition before the development took place within 6 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:

   (i) Within four months of the date of this decision, submit schemes for:

      (a) The internal layout of the site, hereafter referred to as the Site Development Scheme (SDS), the layout of the pitches, hard standings, access road, the siting of the caravans, external lighting, the design and layout of play areas, amenity areas, parking and manoeuvring areas, means of enclosure and the proposed materials to be used;

      (b) Ecological Management and Enhancement Plan;

      (c) Foul and surface water drainage

      (d) Waste disposal including collection point and storage areas;

      (e) Hard and soft landscaping, including details of species, plant sizes and proposed numbers and densities and to include ecological enhancements;

      (f) Sustainable drainage scheme for the whole site including details of discharge rates which should be equivalent to greenfield runoff rates.

      The schemes shall have been submitted to the Local Planning Authority for their written approval and shall include a timetable for their implementation.

   (ii) If within 11 months of the date of this decision, the Local Planning Authority refuse to approve the schemes 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 schemes shall have been approved by the Secretary of State.

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

   Upon implementation of the approved schemes specified in this condition, the schemes shall be retained for the duration of the use of the site. Any tree, hedge or shrub that is removed, uprooted or destroyed or dies within 5 years of planting or, in the opinion of the local planning authority, becomes seriously damaged or defective, shall be replaced in the same position with another of the same species and size as that originally planted.

   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.

2) The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of Planning Policy for Traveller Sites December 2024 (or its equivalent in replacement national policy).

3) The use hereby permitted shall be limited to 10 pitches. No more than two caravans, 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 and no more than one caravan shall be a static caravan.

4) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site, and no commercial activity shall take place on the land, including the storage of materials, plant or equipment.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that Order with or without modifications), no additional gates, walls or fences or other means of enclosure, including bunding, shall be erected or placed within the site or at the boundaries of the site, unless details of their size, materials and location have previously been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.