

Landscape Statement of Evidence

For the

Appeals by Mr. B. Doherty & Mr. L. Williams against the decision of Waverley Borough Council to refuse planning permissions for:

‘the change of use to a traveller caravan site comprising of 1 mobile home, 1 touring caravan, and associated development.’ (Pitch 1); and

‘the change of use of land to stationing of 2 mobile homes and 1 touring caravan, with associated parking, hardstanding (retrospective).’ (Pitch 2)

on land north of Lydia Park, (west of) Stovolds Hill, Cranleigh, GU6 8LE

Prepared for

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by

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Appendices

- Appendix A Extract of the Surrey Hills National Landscape (AONB) Boundary Variation Project (Final Report), produced by Natural England, September 2025.
- Appendix B Extracts of the Surrey Landscape Character Assessment (SLCA), produced by Hankinson Duckett Associates in April 2015.
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- Appendix C Photographs illustrating establishment rate of native woodland buffer plantation Broadlands North West Planting, Bridgend, South Wales.
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1.0 Introduction

- 1.1 Following the submission of planning appeals for the non-determination of planning application no's WA/2025/00495 & WA/2025/00578 for proposed Gypsy & Traveller sites at Pitches 1 & 2 on land north of Lydia Park, (west of) Stovolds Hill, Cranleigh, GU6 8LE; Tirlun Design Associates (TDA) have been instructed by Mr. B. Doherty (Pitch 1) & Mr. L. Williams (Pitch 2) to undertake a landscape character and visual impact assessment (LC&VIA) of the sites and review whether the proposed developments can be implemented in accordance with relevant national and local planning policies.
- 1.2 As described on the planning application forms, Pitch 1 incorporates:
'the change of use to a traveller caravan site comprising of 1 mobile home, 1 touring caravan, and associated development.'
- 1.3 Again, as described on the planning application forms, Pitch 2 incorporates:
'the change of use of land to stationing of 2 mobile homes and 1 touring caravan, with associated parking, hardstanding (retrospective).'
- 1.4 The following statement should be read in conjunction with the Planning Appeal Statement prepared by Dr. Angus Murdoch of Murdoch Planning Ltd.
- 1.5 Desktop research and a site/photographic survey were undertaken in February 2026. Their findings are contained herein.

2.0 Scope and Objectives of Landscape Statement

- 2.1 The key objectives of the statement are to:
- Identify and evaluate existing landscape character features of the sites and their surroundings;
 - Identify and evaluate any landscape designations covering the sites and their surroundings;
 - Assess the landscape character and visual amenity impacts of the proposed developments; and
 - Review whether the proposed developments can be implemented in accordance with relevant national and local planning policies.

3.0 Qualifications & Experience

- 3.1 This statement has been produced on behalf of TDA by Rhodri Garth Crandon. His qualifications include an honours degree in Landscape Architecture gained from Cheltenham & Gloucester College of Higher Education (CGHE) and a Post-Graduate Diploma in Landscape Architecture also from CGHE.
- 3.2 Mr. Crandon is the director of TDA, a landscape consultancy practice based in South Wales, and has over 20 years professional practice experience within the field of landscape architecture. Over this period, he has undertaken many projects relevant to this case which have dealt with issues relating to landscape design, landscape planning and landscape & visual assessment.
- 3.3 Mr. Crandon has worked as an expert witness in relation to landscape character and visual issues on many relevant projects both in the private and public sector, including Monmouthshire County Council during their Unitary Development Plan Inquiry in 2004.
- 3.4 More specifically and in relation to Gypsy and Traveller sites, Mr. Crandon has worked on numerous projects at planning application and appeal level, dealing with the landscape character and visual impacts of such developments on the landscape in general and in some cases National Parks, Areas of Outstanding Natural Beauty (National Landscapes), Green Belts, Special Landscape & Conservation Areas and Historic Parks & Gardens.

4.0 Site and Landscape Context

- 4.1 The sites are located to the west of Stovolds Hill immediately north of Lydia Park which contains numerous approved Gypsy & Traveller plots.
- 4.2 Both sites are located within a larger parcel of land which itself is defined to the south by the existing established access road serving Lydia Park, to the east by an existing field boundary hedgerow and to the north by an established liner belt of woodland along Dunsfold Road (B2130). To the north west of the sites, within the same parcel of land, are 3 no. light industrial units at Thatched House Farm.
- 4.3 The sites are accessed from a gravel track via the existing established access road serving Lydia Park.
- 4.4 Although the sites do not contain any bridleways, byways or other routes of public access they are surrounded by many. Refer to TDA drawing no. TDA.3145.02 – Location of Photo Viewpoints located in the Plans section of this document.
- 4.5 Based upon the study of up to date mapping provided by Sustrans there are no local or National Cycle Routes (NCRs) that pass within close proximity of the sites, the nearest being NCR 223 which, at its nearest point, runs through Cranleigh approximately 2.84 kilometres to the north east.
- 4.6 The sites do not contain any listed buildings or scheduled ancient monuments.
- 4.7 In addition to their location in the countryside, the sites are within a locally designated Area of Great Landscape Value and the setting of The Surrey Hills National Landscape, the nearest boundary of which is located 240 metres to the north west of the northern boundary of Pitch 2.

5.0 Landscape Objection, National & Local Planning Policies

Landscape Objections

- 5.1 From a landscape perspective and as confirmed in paragraph 6.1 of the Statement of Case provided by Waverley Borough Council, the planning applications for both Pitches 1 & 2 would have been refused for the same reasons as set out in their respective Enforcement Notices, namely that:

'The development of the Land fails to recognise or safeguard the intrinsic character and beauty of the countryside and does not respect or enhance the landscape character of the area, which is an Area of Great Landscape Value and a valued landscape within the setting of the Surrey Hills National Landscape. As such, the development conflicts with Policies AHN4, RE1 and RE3 of LPP1, Policies DM1, DM4, DM11 and DM15 of LPP2, Policies BNP-G3 and BNP-E3 of the BNP, Policies P1 and P6 of the Surrey Hills Management Plan, as well as the requirements of the NPPF'

National Planning Policies

National Planning Policy Framework (NPPF), December 2024

- 5.2 Section 15 - Conserving and enhancing the natural environment (paragraph 187) of the NPPF, December 2024, states that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) ***protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);***
- b) ***recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;***
- c) ***maintaining the character of the undeveloped coast, while improving public access to it where appropriate;***
- d) ***minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts bats and hedgehogs;***
- e) ***preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and***
- f) ***remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'***

5.3 Section 15 - Conserving and enhancing the natural environment (paragraph 189) of the NPPF, December 2024, states that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

Planning Policy for Traveller Sites (PPTS), updated December 2024

5.4 Policy H - Determining Planning Applications for Traveller Sites (paragraph 27) of the PPTS, December 2024, states that:

When considering applications, local planning authorities should attach weight to the following matters:

- a) Effective use of previously developed (brownfield), untidy or derelict land.***
- b) Sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.***
- c) Promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children.***
- d) Not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.***

5.5 Consequently, in landscape & visual amenity terms, providing the proposed developments:

- Protect and enhance the Area of Great Landscape Value in which they're located (in a manner commensurate with its statutory status or identified quality);
- Avoid or minimise adverse impacts upon the Surrey Hills National Landscape;
- Are well planned or soft landscaped in such a way as to positively enhance the environment;
- Promote opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children; and
- Are not enclosed with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Then they are consistent with Paragraphs 187 & 189 of the National Planning Policy Framework, December 2024 and much of Paragraph 27 of the Planning Policy for Traveller Sites, December 2024.

Local Planning Policies

The Waverley Borough Local Plan Part 1: Strategic Policies and Sites (February 2018)

5.6 Policy AHN4 (Gypsies, Travellers & Travelling Showpeople Accommodation) of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (LPP1) states that:

'Provision shall be made for Gypsies, Travellers and Travelling Showpeople in accordance with the Waverley Traveller Accommodation Assessment.

Specific sites to meet the identified need within the Borough will be allocated within Part 2 of the Local Plan: Site Allocations and Development Management Policies.

A sequential approach will be taken to identifying sites for Travellers and Travelling Showpeople within Part 2 of the Local Plan: Site Allocations and Development Management Policies in the following order:

- providing additional pitches within available existing authorised sites;***
- suitable extensions to available existing sites;***
- use of available land within settlements or other available and suitable brownfield land outside settlements; and***
- other available and suitable land that does not fall within the above three categories.***

Traveller sites in the Green Belt will not be supported, except in very special circumstances.

Rural Exception Sites solely for affordable Gypsy, Travellers and Travelling Showpeople sites will be considered in accordance with Policy D of the Planning Policy for Traveller Sites.

Allocations or proposals for permanent and transit sites for Gypsies, Travellers and Travelling Showpeople will only be permitted if:

- safe and convenient vehicular and pedestrian access to the site can be provided;***
- there is easy and safe access to the strategic road network and the site does not generate traffic of an amount or type inappropriate for the roads in the area;***
- the site is able to accommodate on site facilities for the parking and manoeuvring of vehicles and storage, play and residential amenity space;***
- the site is located within a reasonable distance of local facilities and services including schools and health facilities;***
- the site does not have an unacceptable impact on the physical and visual character of the area or on the amenities of neighbouring land uses;***
- the site is capable of being provided with essential services; and***
- it accords with other policies in the Plan.***

Existing authorised Traveller and Travelling Showpeople sites will be safeguarded unless no longer required to meet identified need.'

5.7 Policy RE 1 (Countryside beyond the Green Belt) of LPP1 states that:

'Within areas shown as Countryside beyond the Green Belt on the Adopted Policies Map, the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.'

5.8 Policy RE 3 (Landscape Character) of LPP1 states that:

'New development must respect and where appropriate, enhance the distinctive character of the landscape in which it is located.'

i. Surrey Hills Area of Outstanding Natural Beauty

The protection and enhancement of the character and qualities of the Surrey Hills Area of Outstanding Natural Beauty (AONB) that is of national importance will be a priority and will include the application of national planning policies together with the Surrey Hills AONB Management Plan. The setting of the AONB will be protected where development outside its boundaries harm public views from or into the AONB.

ii. The Area of Great Landscape Value

The same principles for protecting the AONB will apply in the Area of Great Landscape Value (AGLV), which will be retained for its own sake and as a buffer to the AONB, until there is a review of the Surrey Hills AONB boundary, whilst recognising that the protection of the AGLV is commensurate with its status as a local landscape designation.

iii. The Farnham/Aldershot Strategic Gap

Pending a more focused review in Local Plan Part 2, the Farnham/Aldershot Strategic Gap will continue to be protected by resisting inappropriate development in accordance with Policy RE1: Countryside beyond the Green Belt. Within the Strategic Gap the Council will promote:

- **measures to enhance the landscape and the conservation of wildlife sites; and**
- **improved public footpaths and bridleways for informal recreation.**

iv. The Area of Strategic Visual Importance

Pending a review of the detailed boundaries in Local Plan Part 2, the Areas of Strategic Visual Importance will be retained. The appearance of the ASVI will be maintained and enhanced. Proposals for new development within the ASVI will be required to demonstrate that the development would not be inconsistent with this objective.

v. Godalming Hillside

The Godalming Hillside designation will be retained, with its detailed boundary to be reviewed in Local Plan Part 2. Development will not be acceptable on the Godalming Hillside, as shown on the Policies Map, unless the Council is satisfied that the development would not diminish the wooded appearance of the hillside and result in a loss of tree cover to the detriment of the area and the character and setting of the town.

vi. Historic Landscape

The Council will seek to conserve the distinctive historic landscape character and archaeological features of the Areas of Special Historic Landscape Value, through continued application of Policy HE12 of the Waverley Borough Local Plan (2002).

vii. South Downs National Park

Where development affects the setting of the South Downs National Park great weight will be given to conserving the landscape and scenic beauty.'

The Waverley Borough Local Plan Part 2: Site Allocations & Development Management Policies (March 2023)

5.9 Policy DM 1 (Environmental Implications of Development) of the Waverley Borough Local Plan Part 2: Site Allocations & Development Management Policies (LPP2) states that:

'Development should:

- a) Avoid significant harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an unacceptable increase in pollution, light, noise, dust, vibration, and odour, or an increase in flood risk. If significant environmental impacts from development cannot be**

avoided, adequately mitigated, or, as a last resort compensated for, then planning permission should normally be refused;

- b) Not cause a deterioration to the environment by virtue of potential pollution of air, soil or water, including that arising from the storage and use of hazardous substances, while seeking opportunities to improve air and water quality where possible;**
- c) Not cause harm or damage to existing environmental assets such as areas of ecological, geological, townscape, or landscape value, and maximise opportunities to enhance such assets;**
- d) Integrate effectively with existing development and not result in unreasonable restrictions on existing businesses or facilities. Where there is likely to be a conflict between proposed development and existing uses nearby, the agent of change should provide suitable mitigation prior to its completion;**
- e) In areas where contamination is known or likely to be found, be subject to a desk-based assessment of the likelihood and extent of land contamination, followed by an intrusive investigation where appropriate, together with the provision of any appropriate remediation measures;**
- f) Avoid exacerbating climate change and damage to the environment caused by the emission of greenhouse gases by seeking to minimise these;**
- g) Follow the mitigation hierarchy set out in DM1 a) to:
 - i. avoid negative impacts upon biodiversity deliver the minimum biodiversity net gain of 10% as required by the Environment Act 2021. The biodiversity net gain should be compared to the baseline and calculated using the most up to date national Biodiversity Metric;**
 - ii. protect and enhance geological assets.****
- h) Avoid negative impacts of light pollution from artificial sources on local amenity, intrinsically dark landscapes and nature conservation.'**

5.10 Policy DM 4 (Quality Places through Design) of LPP2 states that:

'All new development will be expected to be of a high quality design. Development should respond effectively to its surroundings, reinforcing local distinctiveness and landscape and historic townscape character. The principles of good design should be incorporated by:

- a) Making the most efficient use of land, while being sympathetic and responsive to the prevailing pattern of development, including areas of urban-rural transition;**
- b) Responding to the local context and historic character by taking into account the:
 - i. Scale of development, considering the height, mass, form and bulk of adjacent and surrounding structures;**
 - ii. Building plot sizes and widths, plot coverage and established street patterns;**
 - iii. Building setbacks, rooflines, streetscape rhythm including the spaces between buildings, as well as other streetscape elements such as the degree of enclosure;**
 - iv. Architectural composition, appearance, variety and quality of materials and detailing;**
 - v. Local topography and views both from and to the site;**
 - vi. Impact on neighbouring open spaces and their environment; and****

vii. Existing features of the site including (but not limited to) trees, historic buildings, heritage assets, landscape form and views.

- c) Ensuring the use of high quality, sustainable building materials and finishes that are attractive and durable, and appropriate to the context and proposed design;**
- d) Providing a clear definition between the public and private realm, incorporating high quality landscaping and boundary treatments, and delivering quality public spaces, ensuring entrances to developments are obvious for all users of the site;**
- e) Allowing for permeability and access throughout the site and promoting active travel modes and access to community facilities and employment opportunities;**
- f) Facilitating opportunities for adaptable uses for various users over time, including people with disabilities and older people;**
- g) Ensuring that ancillary facilities such as bin storage, secure bike storage, substations and utility facilities that serve new housing developments, are designed into the proposal from the outset; and**
- h) Providing boundary treatments that respond positively to the local context around and within the site.**

Regard will be had to the cumulative effects of development on the character of an area.

Design Review arrangements should be made for significant schemes as agreed with the Local Planning Authority at the earliest opportunity in the planning process.'

5.11 Policy DM 11 (Trees, Woodlands, Hedgerows & Landscaping) of LPP2 states that:

'Development should:

- a) retain woodland, important trees, groups of trees and hedgerows;**
- b) adequately protect trees and hedgerows during all phases of development to avoid damage including activities causing soil compaction or severance of roots;**
- c) provide adequate separation between trees or hedgerows and the proposed development, so as to secure their long-term retention and potential growth, including for trees to be planted as part of the development's landscaping scheme;**
- d) provide suitable, preferably native, species for planting and the creation of wildlife habitats, refuges and connectivity; and**
- e) incorporate high quality landscape schemes, appropriate to the scale, nature, and location of the development. Proposals should include details of the long term management and maintenance of new and existing trees and landscaping.**

Where significant harm to existing woodland and important trees and hedgerows cannot be avoided, it should be adequately mitigated for, or, as a last resort, compensated for.

Proposals which would result in the loss or deterioration of irreplaceable habitats or a detrimental impact on the landscape character of the area will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.

The Council may attach planning conditions, seek planning obligations or make Tree Preservation Orders to ensure future protection and management of important trees including new planting where appropriate.'

5.12 Policy DM 15 (Development in rural areas) of LPP2 states that:

'In rural areas, development should:

- a) Not be isolated from everyday services and facilities, while maximising opportunities for walking and cycling and seeking to avoid dependency on private vehicles, taking account of the nature and functional needs of forms of development which are acceptable in rural areas;***
- b) Recognise the natural beauty and undeveloped character which is intrinsic to the open countryside, together with the distinctive character and pattern of development in areas of urban-rural transition and rural settlements, while making efficient use of land;***
- c) Recognise the benefits of areas of best and most versatile agricultural land. Where it can be demonstrated that significant development of agricultural land is necessary, areas of poorer quality should be preferred to those of higher quality.'***

The Bramley Neighbourhood Plan (2017-2032)

5.13 Policy BNP-G3 (Managing the Landscape, Heritage, Character and Design of the Parish) of The Bramley Neighbourhood Plan (BNP) states that:

'All development proposals must satisfy the following criteria:

- Strategic Views and Vistas. This plan designates Strategic Views and Vistas (SVVs) as shown in Figure 8.1. Proposals for new development within an SVV will be required to demonstrate that the development would not adversely impact on the views unless that impact is satisfactorily mitigated.***
- Heritage Assets. Within the Conservation Areas, proposals must reflect and enhance the character and appearance of the Conservation Areas (Bramley Conservation Area based on the High Street as the focal point, Birtley Green and Thorncombe Street). Developments must not harm the significance of, or the settings of, designated Heritage Assets. The effect of a development on non-designated heritage assets including locally listed buildings, must balance the scale of any loss or harm with the significance of the asset.***
- Character. Maintain the character of the built environment by ensuring that the scale and height of new buildings are proportionate to their surroundings, and that attractive features and boundary walls, fences, trees, hedges, and parkland are retained to ensure that new developments blend in with the landscape. Native species should be used for hedges and tree planting, although flexibility may be allowed in situations where it is considered that native species are not the most appropriate for the location. Resist inappropriate development of residential gardens, for example where development would cause harm to the local area.***
- Design. Ensure that the character and amenity of the Parish are protected by:***
 - Requiring new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located.***
 - Ensuring the new development is designed so that it creates safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development.***
 - Creating a high-quality public realm including landscaping, works to streets and public spaces.***

Materials. Materials should be compatible with the palette of materials of the Parish. See Appendix 5 for photos of commonly used building materials in Bramley Parish.'

5.14 Policy BNP-E3 (Lighting and Maintaining Dark Skies Appropriately) of the BNP states that:

'Proposals should seek to avoid increasing light pollution and ensure consistency with the surrounding settlement areas.

Every effort should be made to use minimum lighting methods, controlled by timers where appropriate, where lighting is required to:

- ***Ensure road safety in areas where there is a risk to pedestrians and cyclists;***
- ***Deter criminal activity;***
- ***Light entrances to buildings used after dark;***
- ***Provide lighting for evening sporting activities;***
- ***Support the night-time economy including lighting for farmers needing to work at night.***

Innovative green solutions for appropriate lighting will be encouraged.

Residential development should be designed to minimise light pollution, avoiding the use of unscreened roof-lights or atria.'

The Surrey Hills Management Plan (2020-2025)

5.15 Policy P1 (Planning Management Policy) of the Surrey Hills Management Plan (SHMP) states that:

'In balancing different considerations associated with determining planning applications and development plan land allocations, great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the AONB and the need for its enhancement'

5.16 Policy P6 (Planning Management Policy) of the SHMP states that:

'Development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted'

5.17 On this basis and again in landscape & visual amenity terms, providing the proposed developments:

- Protect the setting of and do not harm public views from or into the Surrey Hills National Landscape;
- Protect the Area of Great Landscape Value commensurate with its status as a local landscape designation;
- Recognise and safeguard the intrinsic character and beauty of the countryside and do not have unacceptable impacts on the physical and visual character of the area;
- Make the most efficient use of land, while being sympathetic and responsive to the prevailing pattern of development, taking into account adjacent plot sizes, widths and coverage and the scale, height, mass, form and bulk of nearby and surrounding structures;
- Incorporate high quality landscape schemes, appropriate to the scale, nature, and location of the development and provide suitable, preferably native, species for planting; and

- Compensate for lost trees/woodland.

Then they are consistent with:

- Policies AHN4, RE 1 & RE 3 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (February 2018);
- Policies DM 1, DM 4, DM 11, & DM15 of the Waverley Borough Local Plan Part 2: Site Allocations & Development Management Policies (March 2023);
- Policies BNP-G3 of the Bramley Neighbourhood Plan (2017-2032); and
- Policies P1 & P6 of the Surrey Hills Management Plan (2020-2025).

6.0 Baseline Assessment

Area of Great Landscape Value & The Surrey Hills National Landscape

- 6.1 As outlined in Section 4, the sites are within a locally designated Area of Great Landscape Value and the setting of The Surrey Hills National Landscape.
- 6.2 As can be seen from the extract in **Appendix A**; whilst the Surrey Hills National Landscape (AONB) Boundary Variation Project (Final Report), produced by Natural England in June 2025, proposes numerous extensions to the Surrey Hills National Landscape, the sites and their setting were not deemed appropriate for inclusion and, subject to final adoption, will likely remain in the Area of Great Landscape Value only.

Landscape Character

- 6.3 The Surrey Landscape Character Assessment (SLCA), produced by Hankinson Duckett Associates in April 2015, is a comprehensive assessment of the landscape character of the county and provides a report and character areas map for every Surrey District and Borough.
- 6.4 Across the county the SLCA has identified 21 no. generic Landscape Character Types (LCTs) and 140 no. locally related and named Landscape Character Areas (LCAs).
- 6.5 The SCLA provides up to date information on the environmental characteristics of Surrey as a whole and the distinctiveness of its different landscapes. It can be used as a tool to support plan making, policy development and to help inform planning applications.
- 6.6 As can be seen from the SLCA extracts in **Appendix B**; the sites are located within Landscape Type 'WW: Wooded Low Weald' and Landscape Character Area 'WW5: Grafham to Dunsfold Wooded Low Weald'.
- 6.7 As described in the SLCA the 'WW: Wooded Low Weald' LT:

'.....is an extensive Landscape Type across the southern part of the county, running east-west from Charlwood near Gatwick Airport, to Grayswood. Located below the greensand hills to the north, and defined by underlying geology, and the county boundary to the south. Boundaries follow easily recognisable features including roads, woodland edges and field boundaries.'

- 6.8 The Key Characteristics of the 'WW: Wooded Low Weald' LT are listed as:
- ***Predominately lowland, undulating between roughly 50m AOD and 100m AOD, rising up to meet the greensand hills to the north.***
 - ***Includes significant amount of tree cover, including ancient woodland, tree belts, shaws, hangers, and large mature hedgerow trees such as Oaks. Area is scattered with woodland blocks, with more extensive tracts of largely ancient woodland blocks in areas such as West Dunsfold Wooded Low Weald (Area WW2).***
 - ***Field sizes are relatively small, predominately laid to pasture and enclosed by tree cover and hedges. The Type also includes, increasingly so to the east, areas of medium-large scale arable fields, which are generally enclosed by boundary vegetation.***
 - ***Dunsfold to Pollingfold Wooded Low Weald (Area WW6), which includes Dunsfold airfield, have generally larger field sizes, and fewer woodland blocks, and consequently a more open character than adjacent areas of wooded low weald.***
 - ***Shamley Green to Holmwood Wooded Low Weald (Area WW9) and Pinks Hill to Park Hatch Wooded Low Weald (Area WW4) are more elevated, and form the foothills to the wooded greensand hills to the north.***

- **The area includes a number of meandering watercourses, including steep sided gills running through wooded local valleys.**
- **There are a number of secluded villages within the Weald, including Chiddingfold, Dunsfold, Alfold and Ewhurst, the town of Cranleigh, and many scattered dwellings and farmsteads located along a network of rural, often sunken, lanes.**
- **Historic landscape pattern associated with woodland management, grazing of animals, farming and industrial activity.**

6.9 Furthermore and again as can be seen in **Appendix B** the 'WW5: Grafham to Dunsfold Wooded Low Weald' LCA:

'.....is located to the west of Cranleigh. It is defined by underlying geology, topography, woodland cover, and the edge of the River Wey floodplain and Arun Canal. The boundary follows woodland edges, and other easily recognisable features such as roads and field boundaries. The character area is outside the Surrey Hills AONB, but adjoins it along the character area's western boundary.'

6.10 The Key Characteristics of the 'WW5: Grafham to Dunsfold Wooded Low Weald' LCA are listed as:

- **Underlain by Wealden Group Mudstone, Siltstone and Sandstone solid geology.**
- **Relatively low lying, gently undulating landform. Generally sloping to the east, to meet the River Wey and Arun Canal.**
- **The character area consists of medium scale arable fields and smaller areas of pasture, the majority of the fields are bounded by hedges and tree belts, along with dispersed blocks of mostly broadleaved woodland, which includes some areas of ancient woodland within the northern part of the character area.**
- **There are views towards the wooded greensand hills to the west and the river floodplain to the east, often framed by tree cover.**
- **Main roads cross the area, including the A281 which runs roughly north-south along the western boundary of the character area, before crossing through the central southern portion of the character area. Access otherwise follows narrow rural tracks. There is a good network of public rights of way including the Downs Link Recreational Path.**
- **The character area has no significant areas of settlement, but there are small groups of dwellings and scattered farmsteads, located mainly in the southern half of the character area. .**
- **The character area includes some small areas of registered common land to the north, including Rushett and Run Commons. Grafham House and its former stabling and coach house are grade II listed buildings.**
- **A fairly limited amount of woodland is designated as Sites of Nature Conservation Importance.**
- **A rural tranquil landscape, due to woodland and limited impact from settlement and roads.**

- 6.11 Following a more detailed, site specific, visual appraisal and landscape assessment, carried out in February 2026, it is clear that the wider landscape setting of the sites is largely consistent with the 'WW: Wooded Low Weald' LT and the 'WW5: Grafham to Dunsfold Wooded Low Weald' LCA.
- 6.12 Indeed, the wider setting of the sites consists of a predominantly lowland, rural landscape, undulating between approximately 50m AOD and 100m AOD and rising up to Hascombe Hill to the north.
- 6.13 The area predominantly consists of **'.....medium scale arable fields and smaller areas of pasture, the majority.....'** of which **'.....are bounded by hedges and tree belts, along with dispersed blocks of mostly broadleaved woodland.....'**
- 6.14 Whilst **'the.....area has no significant areas of settlement..... small groups of dwellings and scattered farmsteads....'** are present throughout.
- 6.15 However, in contrast, the immediate setting of the sites to the south is significantly influenced by the presence of Lydia Park which contains numerous approved Gypsy & Traveller plots and is part of the existing established landscape baseline.
- 6.16 Furthermore, to the north west of the sites, within the same parcel of land, are 3 no. recently erected light industrial units at Thatched House Farm, approved in 2023 under planning application no. WA/2022/2144.
- 6.17 The landscape character impacts of the proposed developments are explored later in this assessment. Refer to paragraphs 9.16 - 9.30.

Visual Amenity

- 6.18 Due to the undulating topography of the surrounding landscape, which predominantly comprises small to medium scale fields bounded by hedgerows and tree belts along with dispersed blocks of woodland (all of which provide a sense of enclosure), views of the site are generally restricted.
- 6.19 This is clearly illustrated by the Photo Viewpoints located within the Photographs section of this document.
- 6.20 The visual amenity impacts of the proposed developments are explored later in this assessment. Refer to paragraphs 9.1 - 9.15.

7.0 Proposed Site Layouts & Outline Landscape Schemes

7.1 The Proposed Site Layouts & Outline Landscape Schemes (refer to TDA drawing no. TDA.3145.01 in the Plans section of this statement) for pitches 1 & 2 have been carefully developed to ensure that the land use changes are consistent with the landscape character & visual amenity impact criteria of relevant national and local planning policies.

Site Layout

7.2 As can be seen from TDA drawing no. TDA.3145.01 entitled 'Proposed Site Layouts & Outline Landscape Schemes' (refer to Plans section), the site layouts have been carefully designed to minimise the visual amenity and landscape character impacts of the proposed schemes whilst meeting the needs of future residents. Site layout proposals include:

- The careful positioning of mobile homes and associated parking areas within the sites to allow the incorporation of peripheral trees, native woodland buffer plantations and hedgerows to minimise the visual amenity and landscape character impacts of the proposed schemes upon their immediate setting;
- The removal of all existing close boarded fences to site peripheries and their replacement with 1.2m high post & rail timber fences, sensitive to the rural setting of the sites to the north west, north and north east; and
- The sensitive incorporation of open ornamental grass areas within the sites for use by any resident children.

Landscape Proposals

7.3 As can be seen from TDA drawing no. TDA.3145.01 entitled 'Proposed Site Layouts & Outline Landscape Schemes' (refer to Plans section), landscape proposals for the schemes have been carefully considered to minimise their visual amenity and landscape character impacts.

Landscape proposals include:

- The introduction of new peripheral native trees to provide landscape structure, screening and to improve the arboricultural fabric of the sites.
- The introduction of extensive areas of peripheral native woodland buffer planting to screen the proposed residential areas and improve the landscape/arboricultural fabric of the sites.
- The introduction of peripheral native hedgerows to provide landscape structure and screening.

8.0 Assessment Methodology

8.1 The following section has been produced in accordance with the 'Guidelines for Landscape and Visual Impact Assessment (3rd Edition)' produced by The Landscape Institute and Institute of Environmental Management & Assessment (2013).

Visual Appraisal Methodology

8.2 Desktop research and a site/photographic survey were undertaken in February 2026.

8.3 Drawing no. TDA.3145.02 – Location of Photo Viewpoints (refer to Plans section), clearly identifies local visual receptors, including public footpaths, bridleways & routes of other public access.

8.4 As a consequence of the assessment described above, photo viewpoints were carefully selected to enable the analysis of the impacts of the developments upon these local visual receptors.

8.5 For document clarity and ease of interpretation viewpoints are categorised according to their distance from the site as follows:

- Short-range – 0-0.5 km from centre of the site.
- Mid-range – 0.5-1 km from the centre of the site.
- Long-range – 1+ km from the centre of the site.

8.6 A total of 8 no. photo viewpoints were selected and include:

- Views from publicly accessible areas;
- Views that have a reasonably high potential number of viewers or are of particular importance to the viewers affected;
- Views that represent a range of views with different characteristics that might be located in different landscape types e.g. semi-enclosed views, elevated views, or panoramic views; and
- Views that represent a range of viewing experience (i.e. static views from bus stops and points from sequential views, for example from roads and footpaths).

8.7 A description of the photo viewpoints is provided in paragraphs 9.5 to 9.12 and their locations and view angles are illustrated by TDA drawing no. TDA.3145.02 – Location of Photo Viewpoints (refer to Plans section).

8.8 The sensitivity of these photo viewpoints are defined by the function of the occupation or activity of people experiencing the view at a particular location and the extent to which their attention or interest may be focused on the landscape around them. Viewer sensitivity, as defined for this assessment, is set out in Table 1 below.

Table 1: Definitions of viewer sensitivity

Sensitivity	Definition
High	Viewers whose attention or interest is focussed on the landscape/townscape such as communities or occupiers of residential properties.
Medium	Viewers with a moderate interest in their environment such as locations on routes through the landscape such as local footpaths or local roads or users of public sports grounds and amenity open space.
Low	Viewers with a passing interest in their surroundings and whose interest is not specifically focussed on the landscape e.g. working premises or locations on main roads or railways.

8.9 The magnitude of effect on each individual photo viewpoint has been assigned one of the following descriptions, based on professional judgement:

- High – change resulting in a high degree of deterioration or improvement of an existing view.
- Medium – change resulting in a moderate deterioration or improvement of an existing view.
- Low – change resulting in a low degree of deterioration or improvement of an existing view.
- Negligible – very minor or no change to an existing view.

8.10 The significance of the development's visual impact upon these photo viewpoints has been assessed using the Significance Matrix as set out in Table 2 below

Table 2 – Significance matrix for visual impact

Sensitivity/ value of receptor	Magnitude of Effects			
	High	Medium	Low	Negligible
High	Substantial	Substantial	Moderate	Minor
Medium	Substantial	Moderate	Minor	Negligible
Low	Moderate	Minor	Negligible	Negligible

8.11 The description of the level of significance used by Table 2 can be seen in Table 3 below.

Table 3 – Description of the level of significance of Environmental Effects

Level of Significance	Description
Substantial	Major effects (by extent, duration or magnitude) and/or a highly pronounced change in environmental conditions. Effects, both adverse and beneficial, which are likely to be important considerations at a regional or district level because they contribute to achieving regional or borough wide objectives, or, could result in exceedance of statutory objectives and/or breaches of legislation.
Moderate	Intermediate effects (by extent, duration or magnitude) and/or pronounced change in environmental conditions. Effect that is likely to be an important consideration at a local level.
Minor	Noticeable but small effect or change in environmental conditions. These effects may be raised as local issues but are unlikely to be of importance in the decision making process.
Negligible	No discernible change or neutral effect on environmental conditions. An effect that is likely to have a negligible influence, irrespective of other effects.

Landscape Character Assessment Methodology

- 8.12 For the purposes of this assessment, the following definitions of landscape character sensitivity, set out in Table 4 below, have been devised. Sensitivity is classified as High, Medium, or Low.

Table 4: Definitions of landscape character sensitivity

Sensitivity	Definition
High	<p>A landscape/ of particularly distinctive sense of place and in good condition whose characteristics or components make a strong positive contribution to landscape character.</p> <p>Attributes that make up the landscape offer very limited opportunities for the accommodation of change, or development of successful mitigation.</p> <p>The landscape may be particularly important in policy terms (e.g. a nationally designated landscape).</p> <p>NB: Not all aspects noted above are required to apply concurrently to result in a high sensitivity.</p>
Medium	<p>A landscape with some sense of place and/or in fair condition whose characteristics or components make some positive contribution to landscape character.</p> <p>Attributes that make up the landscape offer some opportunities for the accommodation of change, or for development of successful mitigation.</p> <p>The landscape may be locally important in policy terms (e.g. valued though local authority designations or containing features or qualities recognised as important at the local authority level).</p> <p>NB: Not all aspects noted above are required to apply concurrently to result in a medium sensitivity.</p>
Low	<p>A landscape with a weak sense of place and/or in poor condition whose characteristics or components do not contribute positively to landscape character.</p> <p>Attributes that make up the landscape are tolerant of change and offer opportunities for successful mitigation.</p> <p>NB: Not all aspects noted above are required to apply concurrently to result in a low sensitivity.</p>

- 8.13 Magnitude of change depends on the nature and scale of change that is expected to occur (i.e. any change in the backdrop to, or outlook from, a landscape that affects its character), as well as its geographical extent.
- 8.14 Magnitude of landscape change is described as ranging from high to imperceptible. Definitions are provided in Table 5 below.

Table 5: Magnitude of landscape change

Magnitude of Change to Landscape Character caused by Development			
High	Medium	Low	Imperceptible Change
An obvious change in landscape character and characteristics.	Discernible changes in landscape character and characteristics.	A small or localised change in character and characteristics of the landscape.	Imperceptible or no change in character and characteristics of the landscape.

- 8.15 The severity (or significance) of landscape effect depends on the nature of the landscape resource and its sensitivity and the magnitude of change. A higher level of effect is generally attached to large scale developments on sensitive and valued landscape resources.
- 8.16 Significance is determined by considering the sensitivity of the landscape receptor and the magnitude of change expected as a result of the development. Table 6 illustrates the general relationship between the sensitivity of the receptor and the magnitude of change.

Table 6: Determining significance of effects on landscape character

		Sensitivity of Landscape Character		
		High	Medium	Low
Magnitude of Change	High	Major	Major or Moderate	Moderate or Minor
	Medium	Major or Moderate	Moderate or Minor	Minor
	Low	Moderate or Minor	Minor	Minor or Negligible
	Imperceptible change	Negligible	Negligible	Negligible

9.0 Appraisal of Development Impacts

Landscape Baseline

- 9.1 For the purposes of this assessment, the baseline condition of the sites is considered to predominantly consist of rough grassland with some areas of regenerating scrub and broadleaved woodland. That is the condition of the land prior to the change of use for residential purposes subject to the Enforcement Notices associated with each of the sites.

Visual Amenity Impacts

- 9.2 As outlined in Section 6, due to the undulating topography of the surrounding landscape, which predominantly comprises small to medium scale fields bounded by hedgerows and tree belts along with dispersed blocks of woodland (all of which provide a sense of enclosure), views of the sites are generally restricted.
- 9.3 This is clearly illustrated by the photo viewpoints taken from public footpaths and roads adjacent to and surrounding the sites which are further described in paragraphs 9.4 to 9.11.
- 9.4 Photo Viewpoints 1-8 below can be found in the Photographs section of this document. Their locations and view angles are illustrated by TDA drawing no. TDA.3145.02 – Location of Photo Viewpoints (refer to Plans section).
- 9.5 **Photo Viewpoint 1** is a short-range view looking north west from Stovolds Hill, approximately 350 metres south east of the centre of the boundary between Pitches 1 & 2. The sites are screened by the existing Gypsy & Traveller plots in the foreground. The developments are not/will not be visible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
Medium (Local road)	Negligible (no change in view)	Negligible (Neutral effect)

- 9.6 **Photo Viewpoint 2** is a short-range view looking south west from Stovolds Hill immediately opposite the existing established access road serving Lydia Park, approximately 265 metres east of the centre of the boundary between Pitches 1 & 2. The sites are screened by existing Gypsy & Traveller plots and the existing trees and vegetation immediately adjacent to and on the north side of the existing established access road serving Lydia Park. The developments are not/will not be visible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
Medium (Local road)	Negligible (No change in view)	Negligible (Neutral effect)

- 9.7 **Photo Viewpoint 3** is a short-range view looking south west from the junction of Stovolds Hill with Dunsfold Road (B2130), approximately 350 metres north east of the centre of the boundary between Pitches 1 & 2. The sites are screened by the existing block of woodland in the foreground combined with the existing field boundary hedgerow that defines the eastern boundary of the larger parcel of land in which they're located. The developments are not/will not be visible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
Medium (Local Road)	Negligible (No change in view)	Negligible (Neutral effect)

9.8 **Photo Viewpoint 4** is a short-range view looking south east from the access into the recently erected light industrial units at Thatched House Farm, approximately 305 metres north west of the centre of the boundary between Pitches 1 & 2. Whilst the mobile home on Plot 4 is visible, the sites are screened by the sloping topography in the middle ground combined with intervening trees and vegetation. The developments are not/will not be visible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
Low (Location adjacent to Main Road – B2130)	Negligible (no change in view)	Negligible (Neutral effect)

9.9 **Photo Viewpoint 5** is a long-range panoramic looking south east from a public footpath on the south eastern slopes of Hascombe Hill, approximately 1.33 kilometres north west of the centre of the boundary between Pitches 1 & 2. Whilst the existing Gypsy & Traveller Plots on Lydia Park are clearly visible, the sites are not readily perceptible through the existing liner belt of woodland that follows Dunsfold Lane (B2130). The developments are not/will not be readily perceptible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
High (Public footpath within National Landscape)	Negligible (Very minor change in view)	Minor (Small/no discernible effect)

9.10 **Photo Viewpoint 6** is a long-range panoramic looking south east from The Stone Circle on the south eastern slopes of Hascombe Hill, approximately 1.30 kilometres north west of the centre of the boundary between Pitches 1 & 2. Whilst the existing Gypsy & Traveller Plots on Lydia Park are clearly visible, the sites are not readily perceptible through the existing liner belt of woodland that follows Dunsfold Lane (B2130). The developments are not/will not be readily perceptible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
High (Viewpoint off a public footpath within National Landscape)	Negligible (Very minor change in view)	Minor (Small/no discernible effect)

9.11 **Photo Viewpoint 7** is a mid-range panoramic looking north from a public bridleway between Stovolds Hill and High Loxley, approximately 785 metres south west of the centre of the boundary between Pitches 1 & 2. The sites are screened by intervening topography and blocks of woodland in the middle ground. The developments are not/will not be visible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
Medium (Public footpath)	Negligible (No change in view)	Negligible (Neutral effect)

9.12 **Photo Viewpoint 8** is a mid-range view looking north from a public bridleway between Stovolds Hill and High Loxley, approximately 615 metres south of the centre of the boundary between Pitches 1 & 2. Whilst the existing Gypsy & Traveller Plots on Lydia Park are partially visible, the sites are screened by intervening field boundary hedgerows and blocks of woodland in the middle ground. The developments are not/will not be visible from this photo viewpoint.

Sensitivity/ value of receptor	Magnitude of Effects	Level of Significance
Medium (Public footpath)	Negligible (No change in view)	Negligible (Neutral effect)

9.13 It is clear that the level of significance of the visual amenity impacts resulting from the existing/proposed developments are considered to be **minor or negligible**, where there are **neutral, small/no discernible effects** only.

9.14 Notwithstanding the above and with regards to Photo Viewpoints 5 & 6, although the sites are not readily perceptible through the existing liner belt of woodland that follows Dunsfold Lane (B2130), it is important to note that, as outlined in Section 7, the proposed schemes incorporate extensive areas of peripheral native woodland buffer planting to screen proposed residential areas and improve the landscape/arboricultural fabric of the sites.

9.15 As a consequence and upon establishment (2-3 years – refer to case study in **Appendix C**), it is considered that the proposed native woodland buffer plantations proposed to the western and northern boundaries of the residential areas will further screen the schemes and assimilate the developments with their existing setting.

Landscape Character Impacts

9.16 As outlined in Section 6, due to the undulating topography of the surrounding landscape, which predominantly comprises small to medium scale fields bounded by hedgerows and tree belts along with dispersed blocks of woodland (all of which provide a sense of enclosure), views of the sites are generally restricted. This in turn offers opportunities for the accommodation of change without impacting upon the surrounding landscape.

9.17 In addition, although it is acknowledged that the sites are located within a locally designated Area of Great Landscape Value, it is important note that the sites immediate setting to the south is significantly influenced by the presence of Lydia Park which contains numerous approved Gypsy & Traveller plots and is part of the existing established landscape baseline.

9.18 Furthermore, to the north west of the sites, within the same parcel of land, are 3 no. recently erected light industrial units at Thatched House Farm, approved in 2023 under planning application no. WA/2022/2144.

9.19 As a consequence, the sensitivity of the site's landscape character using the definitions included in Table 4, including its immediate setting and surrounding landscape, is assessed as **Medium**.

9.20 With regards to the magnitude of landscape change, whilst the character of the sites themselves will change, as described in Section 7, the landscape proposals have been carefully considered to minimise the visual amenity and landscape character impacts of the schemes upon the sites and their surroundings.

9.21 In addition, the visual amenity appraisal summarised that the level of significance of the visual amenity impacts resulting from the existing/proposed developments are considered to be **minor or negligible**, where there are **neutral, small/no discernible effects** only.

- 9.22 Notwithstanding the above and with regards to Photo Viewpoints 5 & 6, although the sites are not readily perceptible through the existing liner belt of woodland that follows Dunsfold Lane (B2130), it is important to note that, as outlined in Section 7, the proposed schemes incorporate extensive areas of peripheral native woodland buffer planting to screen proposed residential areas and improve the landscape/arboricultural fabric of the sites.
- 9.23 As a consequence and upon establishment (2-3 years – refer to case study in **Appendix C**), it is considered that the proposed native woodland buffer plantations proposed to the western and northern boundaries of the residential areas will further screen the schemes and assimilate the developments with their existing setting.
- 9.24 Consequently, using the descriptions included in Table 5, the magnitude of change should be considered as **Low**.
- 9.25 On this basis, using the definitions included in Table 6 and as the development will result in a small, or localised change, in character and characteristics only, the severity or significance of the developments effect upon the landscape character of the area is assessed as being **Minor adverse** where there are **noticeable but small effects** only. A description of these classifications can be seen at Table 3.

Sensitivity/ value of landscape	Magnitude of Effects	Level of Significance
Medium (Refer to Table 4)	Low (Refer to Table 5)	Minor adverse (Refer to Table 6 & 3)

- 9.26 On the basis that the developments result in **noticeable but small effects** only, it is clear that they do not impact upon the wider landscape character of the Area of Great Landscape Value.
- 9.27 Indeed they sit comfortably with their existing setting which is significantly influenced by the presence of Lydia Park, itself containing numerous approved Gypsy & Traveller plots and is part of the existing established landscape baseline.
- 9.28 Furthermore it is considered that the schemes make the most efficient use of land, while being sympathetic and responsive to the prevailing pattern of development, taking into account adjacent plot sizes, widths and coverage and the scale, height, mass, form and bulk of nearby and surrounding structures,
- 9.29 Notwithstanding the above, when considering the landscape character impacts of Gypsy & Traveller sites in rural areas, it is useful to note the comments of Inspector Dignan who, at paragraph 7 of his Appeal Decision for Brookside Stables (APP/G1630/W/17/3192162 – Refer to **Appendix D**), summarised that:

‘.....Gypsy and traveler sites are a common sight in the countryside and are not intrinsically discordant or out of character.....’

- 9.30 Furthermore, as outlined by Inspector Dakeyne at paragraph 15 of his Appeal Decision for The Caravan Site, Highfield Lane (APP/R3705/W/18/3199149 – Refer to **Appendix E**), it is important to note that the Planning Policy for Traveller Sites (PPTS) also recognises:

‘.....that traveller sites can be located in rural areas, they can be a common sight in the countryside, and they are not intrinsically discordant features.’

10.0 Conclusion

10.1 Providing the proposed schemes for Pitches 1 & 2 are implemented in accordance with TDA drawing no. TDA.3145.01 entitled 'Proposed Site Layouts & Outline Landscape Schemes' (refer to Plans section), it is considered that they:

- Protect and enhance the Area of Great Landscape Value in which they're located (in a manner commensurate with its statutory status or identified quality);
- Avoid or minimise adverse impacts upon the Surrey Hills National Landscape;
- Are well planned or soft landscaped in such a way as to positively enhance the environment;
- Promote opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
- Are not enclosed with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community;
- Protect the setting of and do not harm public views from or into the Surrey Hills National Landscape;
- Recognise and safeguard the intrinsic character and beauty of the countryside and do not have unacceptable impacts on the physical and visual character of the area;
- Make the most efficient use of land, while being sympathetic and responsive to the prevailing pattern of development, taking into account adjacent plot sizes, widths and coverage and the scale, height, mass, form and bulk of nearby and surrounding structures;
- Incorporate high quality landscape schemes, appropriate to the scale, nature, and location of the developments and provide suitable, native, species for planting; and
- Compensate for lost trees/woodland

10.2 Therefore, on the basis that the development can be implemented consistent with the requirements of:

- Paragraph 187 & 189 of the National Planning Policy Framework, December 2024;
- Much of Paragraph 27 of the Planning Policy for Traveller Sites, December 2024;
- Policies AHN4, RE 1 & RE 3 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (February 2018);
- Policies DM 1, DM 4, DM 11, & DM15 of the Waverley Borough Local Plan Part 2: Site Allocations & Development Management Policies (March 2023);
- Policies BNP-G3 of the Bramley Neighbourhood Plan (2017-2032); and
- Policies P1 & P6 of the Surrey Hills Management Plan (2020-2025).

it is respectfully requested that the appeals be allowed.

11.0 Personal and/or Temporary Planning Permission

11.1 Whilst it is considered that the developments are consistent with both national and local landscape policies and are therefore suitable for permanent planning permission; should the Inspector deem it more appropriate to grant personal and/or temporary planning permissions for the sites to meet the immediate accommodation needs of the clients, it is important to note that, when dealing with the duration and reversibility of landscape effects, paragraph 5.51 of the 'Guidelines for Landscape and Visual Impact Assessment (3rd Edition)' produced by The Landscape Institute and Institute of Environmental Management & Assessment (2013) states that:

'.....Duration can usually be simply judged on a scale such as short term, medium term or long term, where, for example, short term might be zero to five years, medium term five to ten years and long term ten to twenty five years. There is no fixed rule on these definitions and so in each case it must be made clear how the categories are defined and the reasons for this.

Reversibility is a judgement about the prospects and the practicality of the particular effect being reversed in, for example, a generation. This can be a very important issue – for example, whilst some forms of development, like housing, can be considered permanent, others, such as wind energy developments, are often argued to be reversible since they have a limited life and could eventually be removed and/or the land reinstated.....'

11.2 Paragraphs 5.56 goes on to state:

'There are no hard and fast rules about what makes a significant effect, and there cannot be a standard approach since circumstances vary with the location and landscape context and with the type of proposal. At opposite ends of a spectrum it is reasonable to say that:

- major loss or irreversible negative effects, over an extensive area, on elements and/or aesthetic and perceptual aspects that are key to the character of nationally valued landscapes are likely to be of the greatest significance;***
- reversible negative effects of short duration, over a restricted area, on elements and/or aesthetic and perceptual aspects that contribute to but are not key characteristics of the character of landscapes of community value are likely to be of the least significance.....'***

11.3 In terms of the duration of the effects on the landscape character & visual amenity of the area, should the development be granted on a personal and/or temporary basis, then this would be time restricted.

11.4 Furthermore, in terms of reversibility, personal and/or temporary permissions for Gypsy & Traveller sites have a land restoration condition attached to them and therefore the reversal of the landscape and visual effects of such developments is secured.

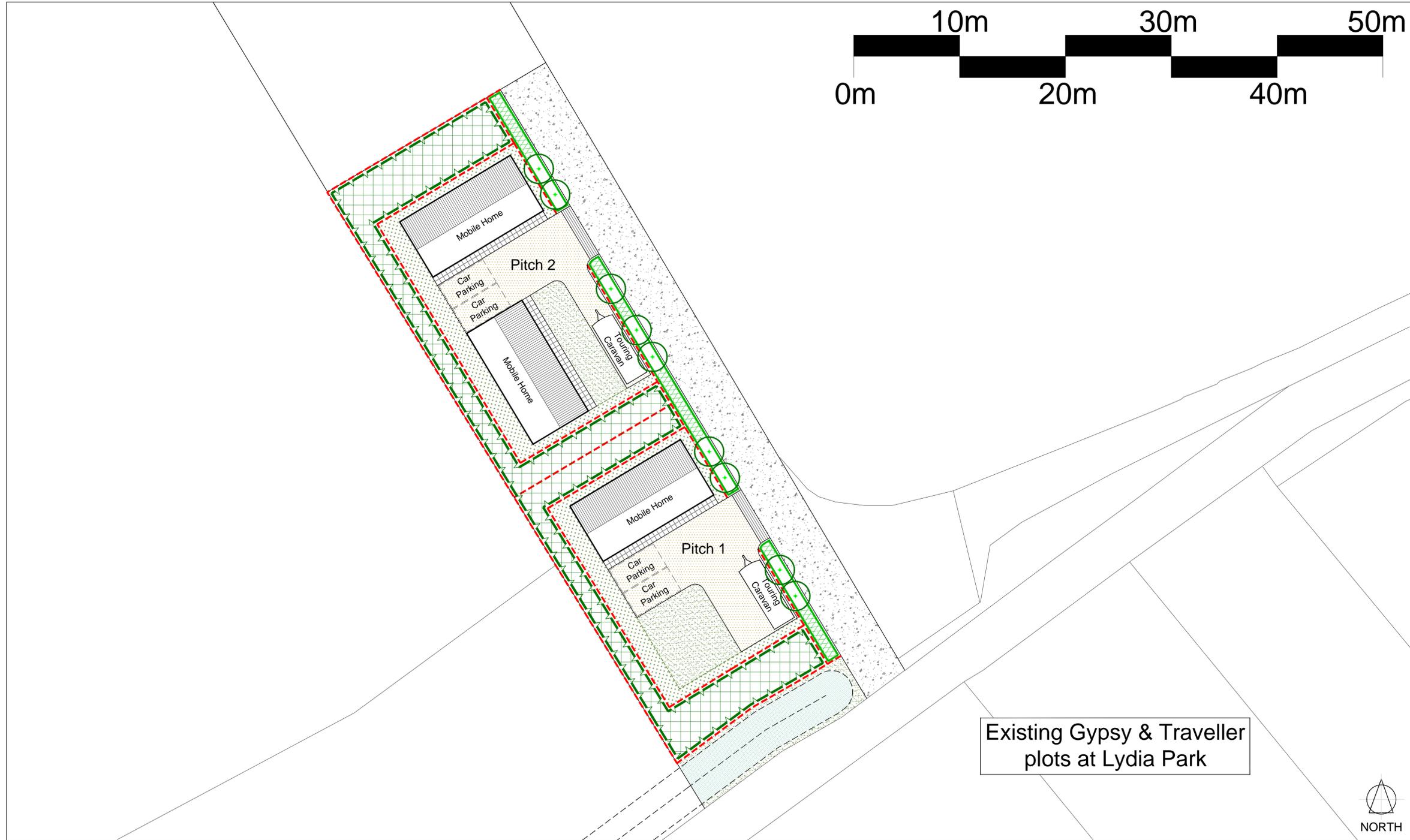
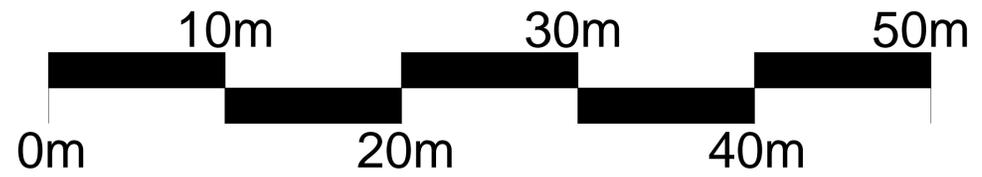
11.5 In this case such a condition could state:

'When the land ceases to be occupied by those named above, all caravans, structures, materials and equipment brought onto, or erected on the land, or works undertaken to it in connection with the use shall be removed, and the land restored in accordance with a scheme to be approved by the Local Planning Authority'.

Plans

TDA.3145.01 - Proposed Site Layouts & Outline Landscape Schemes

TDA.3145.02 - Location of Photo Viewpoints



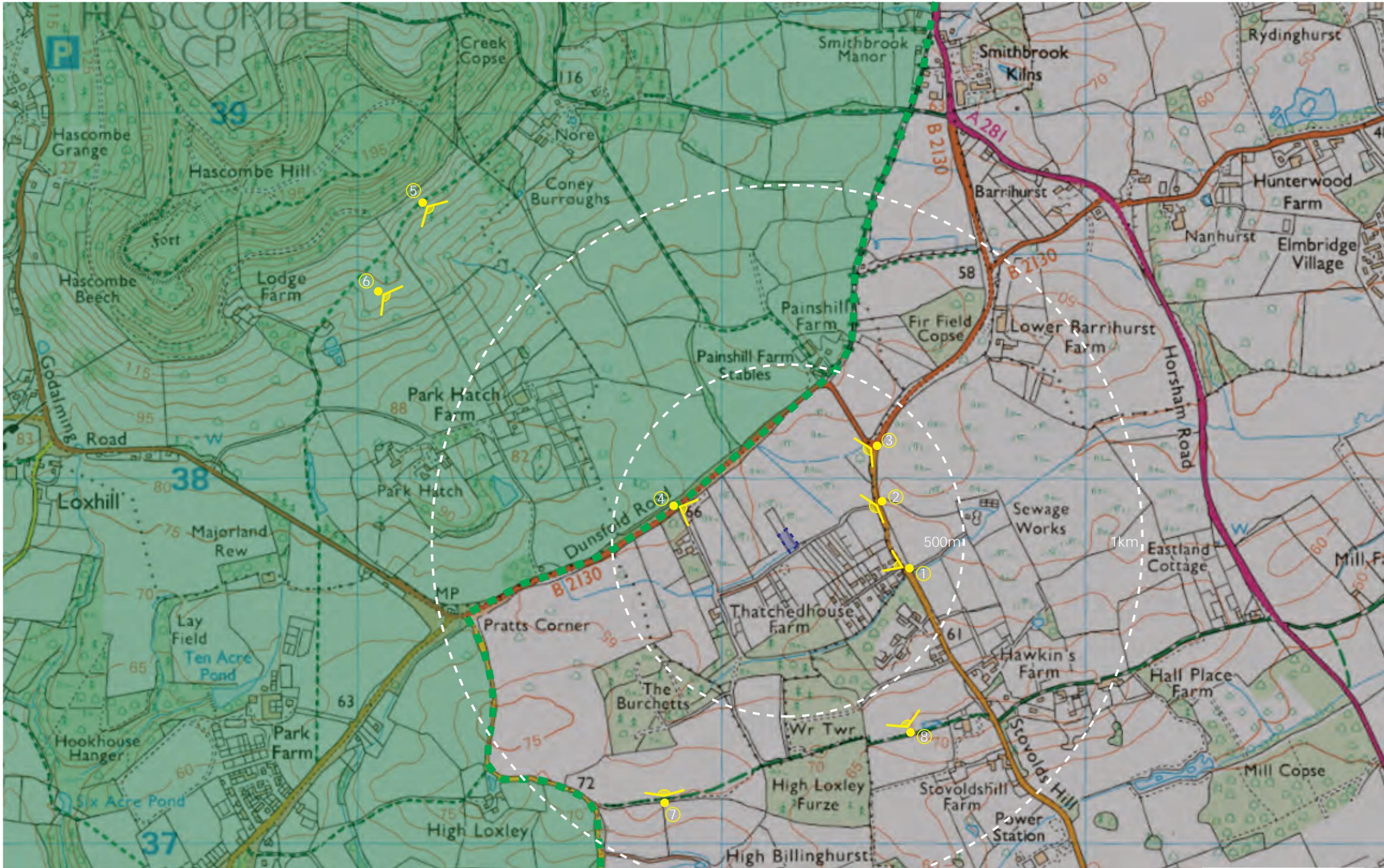
Existing Gypsy & Traveller plots at Lydia Park



KEY:

- | | | | |
|---|--|---|--|
|  | PROPOSED ACCESS ROAD
(Access road to be surfaced with clean grey gravel laid on a weed suppressing membrane over a compacted 'open' (Type 3) permeable sub base to allow surface water percolation.) |  | PROPOSED INFORMAL NATIVE TREE PLANTING
(Tree species to match those already present in the locality and to be of local provenance, where possible) |
|  | PROPOSED DRIVEWAYS/YARD AREAS
(Areas to be surfaced with pea shingle laid on a weed suppressing membrane over a compacted 'open' (Type 3) permeable sub base to allow surface water percolation.) |  | PROPOSED NATIVE WOODLAND BUFFER PLANTING
(Tree and understorey species to match those already present in the locality and to be of local provenance, where possible) |
|  | PROPOSED DRIVEWAY THRESHOLDS
(Thresholds to be constructed using local stone sets and to be slightly raised above pea shingle to stop egress onto access road) |  | PROPOSED NATIVE HEDGEROW PLANTING
(Hedgerow species to match those already present in the locality and to be of local provenance, where possible) |
|  | PROPOSED FOOTPATHS
(Footpaths to be surfaced with permeable 45 x 450 x 450 mm PCC slabs. Finish: Textured. Colour: TBC) |  | PROPOSED ORNAMENTAL GRASS AREAS
(Grass areas to be seeded with a flowering lawn mix) |
|  | PROPOSED 1.2M HIGH POST & RAIL FENCES |  | PROPOSED NEUTRAL GRASSLAND WITH VETCHES |
| | |  | PROPOSED DITCH
(Ditch to incorporate native aquatic and marginal planting) |

REV	NOTES	BY	DATE
<p>TDA THE GRANARY NEWLAND FAWR FARM LLANGAN CF35 5DN TEL: 01446 789367</p> 			
<p>CLIENTS MR. B. DOHERTY & MR. L. WILLIAMS</p>			
DRAWING NUMBER TDA.3145.01	SCALE 1:200 @ A1		
DRAWN RhC	DATE FEBRUARY 2026		
<p>PROJECT PROPOSED GYPSY & TRAVELLER SITES (PITCHES 1 & 2) ON LAND NORTH OF LYDIA PARK, STOVOLDS HILL</p>			
<p>DRAWING TITLE PROPOSED SITE LAYOUTS & OUTLINE LANDSCAPE SCHEMES</p>			



Location of Sites



The Surrey Hills National Landscape (including boundary variations in accordance with Figure 27.b (Dunford Low Weald) of the Boundary Variation Project - Final Report, June 2025)



Photo Viewpoints & Approximate View Angles

Note: Public rights of way, other routes of public access and roads / paths represented by standard Ordnance Survey symbols

Client **Mr. B. Doherty & Mr. L. Williams**
 Project **Land north of Lydia Park, Stovolds Hill (Pitches 1&2)**

Drawing Title **Location of Photo Viewpoints**
 Drawing No. TDA/3145/02
 Scale Not to Scale
 Date February 2026



Photographs

- Photo Viewpoint 1 Short-range view looking north west from Stovolds Hill, approximately 350 metres south east of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 2 Short-range view looking south west from Stovolds Hill immediately opposite the existing established access road serving Lydia Park, approximately 265 metres east of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 3 Short-range view looking south west from the junction of Stovolds Hill with Dunsfold Road (B2130), approximately 350 metres north east of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 4 Short-range view looking south east from the access into the recently erected light industrial units at Thatched House Farm, approximately 305 metres north west of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 5 Long-range panoramic looking south east from a public footpath on the south eastern slopes of Hascombe Hill, approximately 1.33 kilometres north west of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 6 Long-range panoramic looking south east from The Stone Circle on the south eastern slopes of Hascombe Hill, approximately 1.30 kilometres north west of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 7 Mid-range panoramic looking north from a public bridleway between Stovolds Hill and High Loxley, approximately 785 metres south west of the centre of the boundary between Pitches 1 & 2.
- Photo Viewpoint 8 Mid-range view looking north from a public bridleway between Stovolds Hill and High Loxley, approximately 615 metres south of the centre of the boundary between Pitches 1 & 2.

Approximate location
of sites (screened)

Lydia Park

Hascombe Hill

Stovolds Hill



Photo Viewpoint 1: Short-range view looking north west from Stovolds Hill, approximately 350 metres south east of the centre of the boundary between Pitches 1 & 2

Stovolds Hill

Lydia Park

Approximate location
of sites (screened)

Stovolds Hill



Photo Viewpoint 2: Short-range view looking south west from Stovolds Hill immediately opposite the existing established access road serving Lydia Park, approximately 265 metres east of the centre of the boundary between Pitches 1 & 2

Stovolds Hill

Approximate location
of sites (screened)

Dunsfold Road (B2130)



Photo Viewpoint 3: Short-range view looking south west from the junction of Stovolds Hill with Dunsfold Road (B2130), approximately 350 metres north east of the centre of the boundary between Pitches 1 & 2

Mobile home
on Pitch 4

Approximate location
of sites (screened)

Recently erected light industrial units at
Thatched House Farm (WA/2022/2144)



Photo Viewpoint 4: Short-range view looking south east from the access into the recently erected light industrial units at Thatched House Farm, approximately 305 metres north west of the centre of the boundary between Pitches 1 & 2

Lydia Park
(visible)

Approximate location
of sites (predominantly screened)

Park Hatch Farm

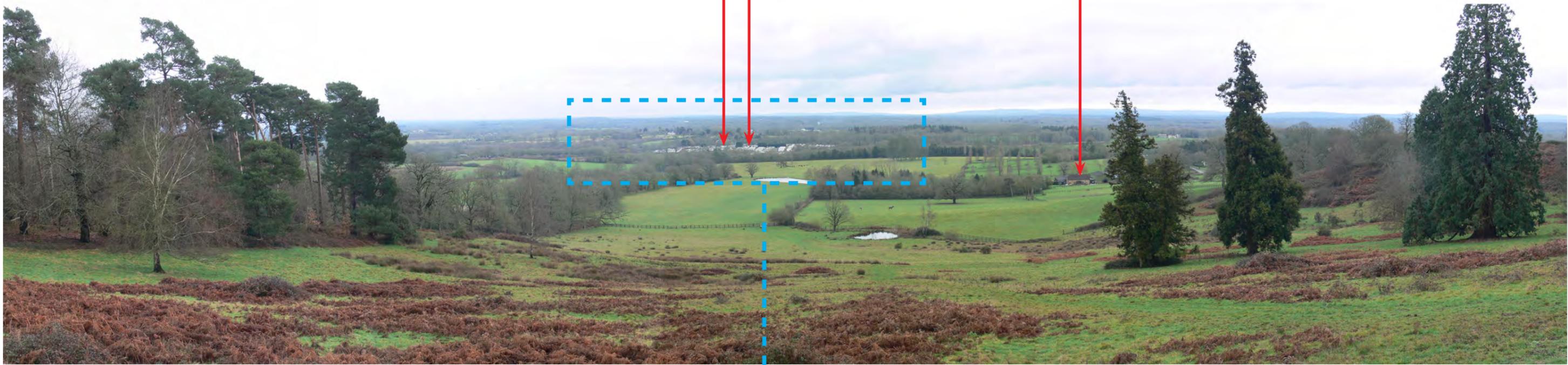


Photo Viewpoint 5: Long-range panoramic looking south east from a public footpath on the south eastern slopes of Hascombe Hill, approximately 1.33 kilometres north west of the centre of the boundary between Pitches 1 & 2



Photo Viewpoint 5 Extract

Lydia Park (visible)
Approximate location of sites (predominantly screened)
Park Hatch Farm

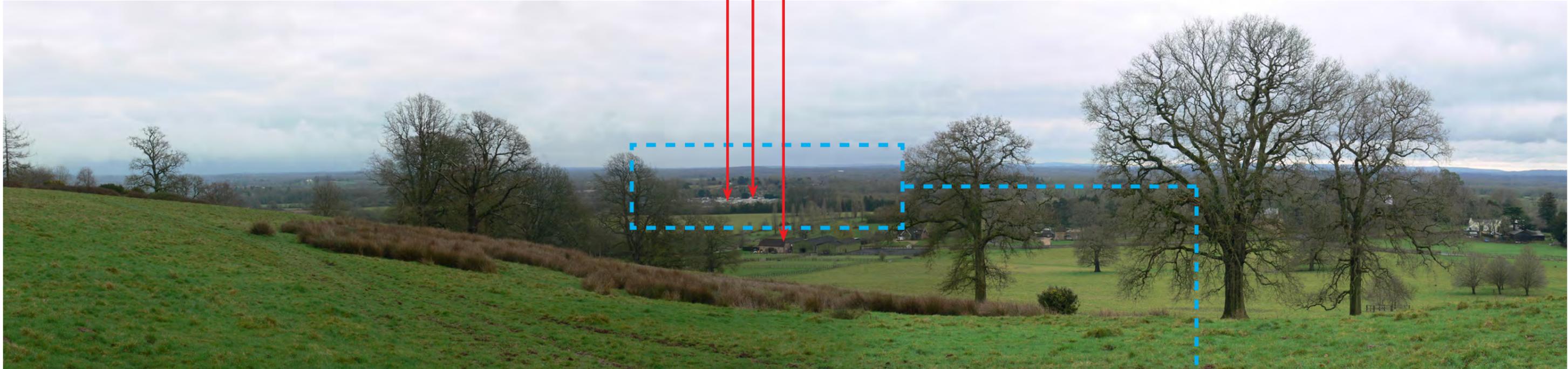


Photo Viewpoint 6: Long-range panoramic looking south east from The Stone Circle on the south eastern slopes of Hascombe Hill, approximately 1.30 kilometres north west of the centre of the boundary between Pitches 1 & 2



Photo Viewpoint 6 Extract

Home Farm

Hascombe Hill

Approximate location
of sites (screened)



Photo Viewpoint 7: Mid-range panoramic looking north from a public bridleway between Stovolds Hill and High Loxley, approximately 785 metres south west of the centre of the boundary between Pitches 1 & 2

Hascombe Hill

Approximate location
of sites (screened)

Lydia Park (partially visible)



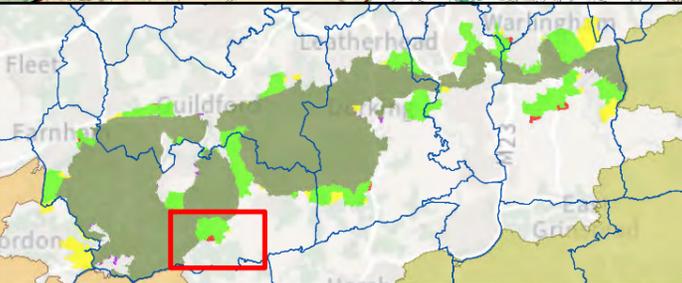
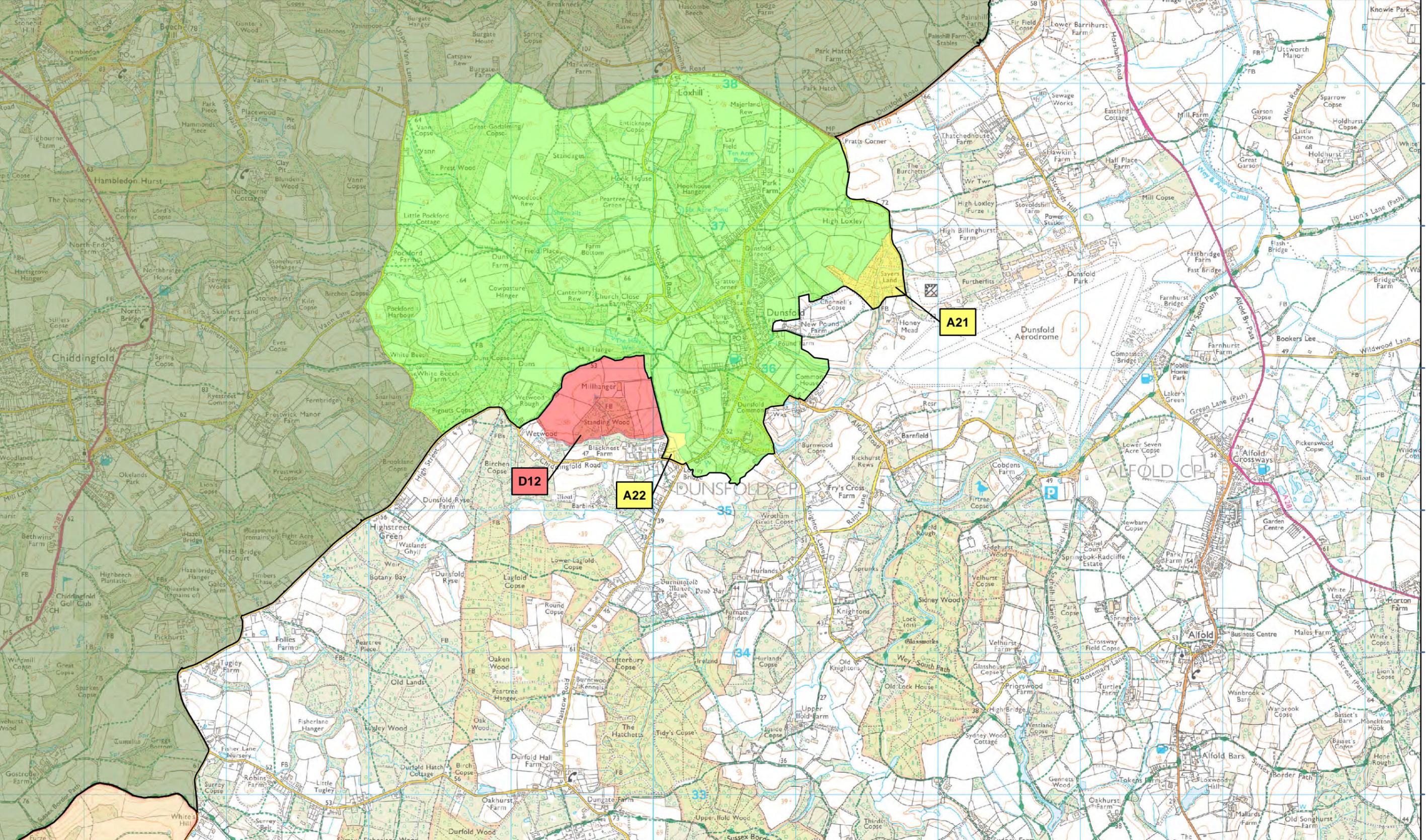
Photo Viewpoint 8: Mid-range view looking north from a public bridleway between Stovolds Hill and High Loxley, approximately 615 metres south of the centre of the boundary between Pitches 1 & 2

Appendix A

Extract of the Surrey Hills National Landscape (AONB) Boundary Variation Project
(Final Report), produced by Natural England, September 2025.

496000 497000 498000 499000 500000 501000 502000 503000 504000 505000

138000
137000
136000
135000
134000
133000



Surrey Hills National Landscape (AONB)
 South Downs National Park

Proposed Boundary
 Boundary Extension (March 2023)
 Proposed Addition (2024)
 Proposed Deletion (2024)

N
 Coordinate System: British National Grid
 Scale at A3: 1:25,000
 0 1 2 km

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 MFA
 landscape architecture and
 environmental planning

 Resources
 FOR CHANGE

 SCGIS
 020 853 6644

Surrey Hills National Landscape (AONB)
Boundary Variation Project
Consultation Analysis Changes 2024

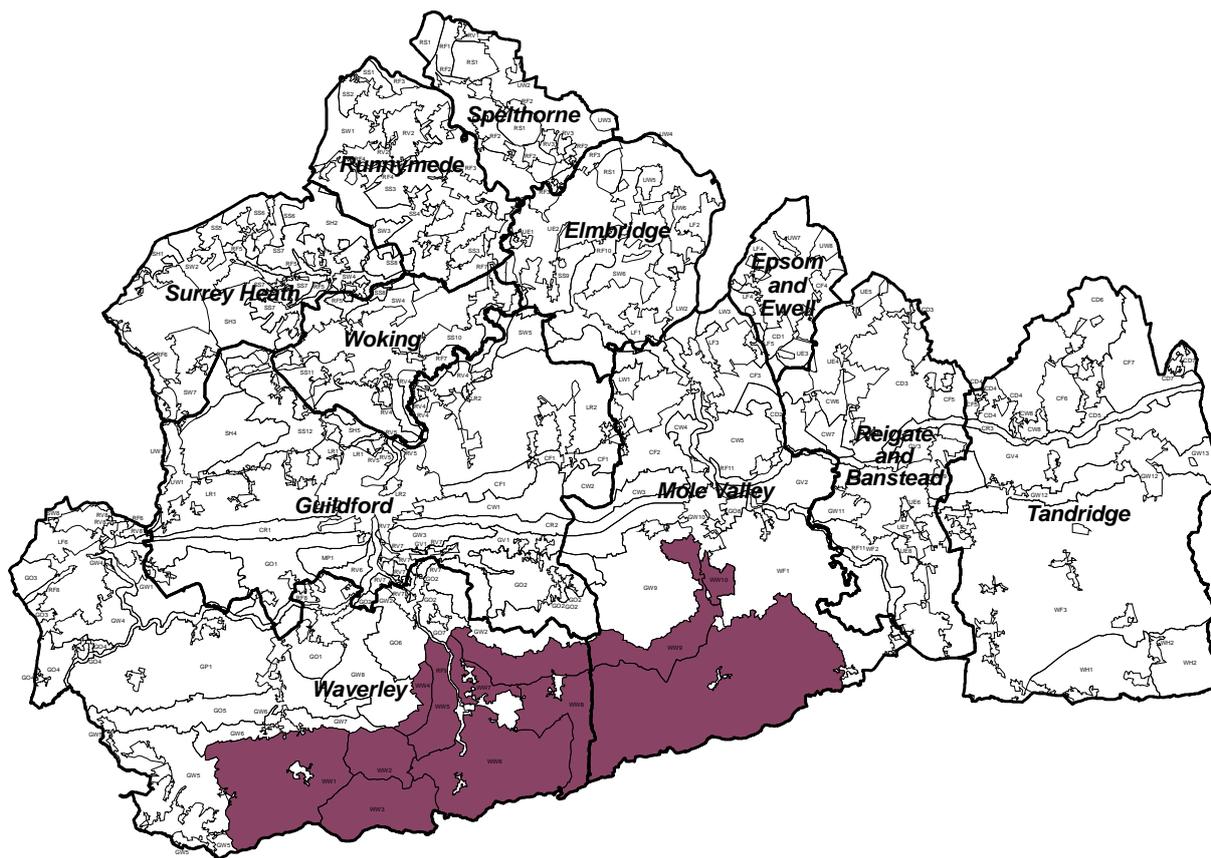


Fig.27b
Dunsford Low Weald

Appendix B

Extracts of the Surrey Landscape Character Assessment (SLCA),
produced by Hankinson Duckett Associates in April 2015.

Landscape Type 'WW: Wooded Low Weald'
Landscape Character Area 'WW5: Grafham to Dunsfold Wooded Low Weald'



LANDSCAPE TYPE WW: WOODED LOW WEALD

Landscape Character Areas

WW1	Chiddingfold Wooded Low Weald
WW2	West Dunsfold Wooded Low Weald
WW3	Tugley to Sidney Wood Wooded Low Weald
WW4	Pinks Hill to Park Hatch Wooded Low Weald
WW5	Grafham to Dunsfold Wooded Low Weald
WW6	Dunsfold to Pollingfold Wooded Low Weald
WW7	Rowly Wooded Low Weald
WW8	Cranleigh to Charlwood Wooded Low Weald
WW9	Shamley Green to Holmwood Wooded Low Weald
WW10	Holmwood Common Wooded Low Weald*

* These Character Areas are outside Waverley Borough and therefore are not described in this document. See the Surrey Countywide document for these areas.

LANDSCAPE TYPE WW: WOODED LOW WEALD

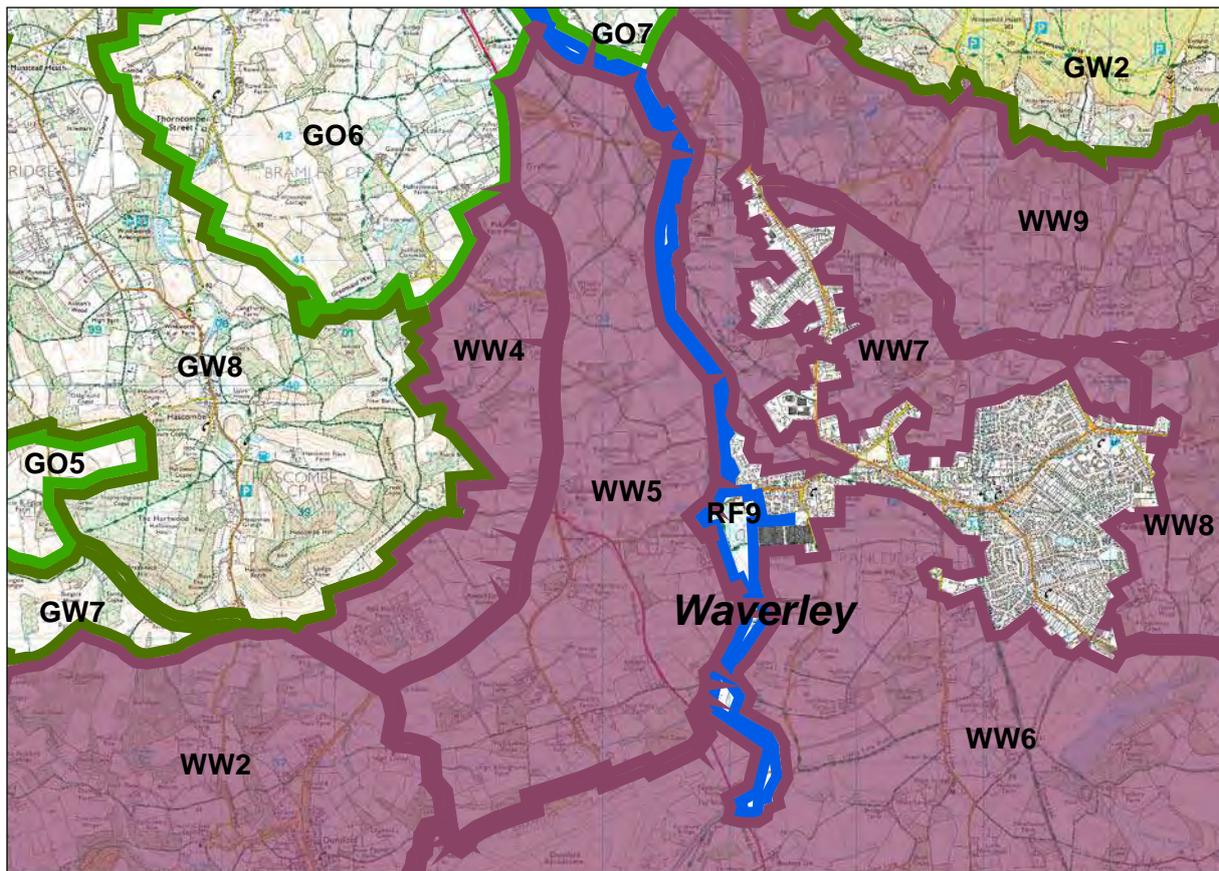
Location and Boundaries

The Wooded Low Weald is an extensive Landscape Type across the southern part of the county, running east-west from Charlwood near Gatwick Airport, to Grayswood. Located below the greensand hills to the north, and defined by underlying geology, and the county boundary to the south. Boundaries follow easily recognisable features including roads, woodland edges and field boundaries.



Key Characteristics

- Predominately lowland, undulating between roughly 50m AOD and 100m AOD, rising up to meet the greensand hills to the north.
- Includes significant amount of tree cover, including ancient woodland, tree belts, shaws, hangers, and large mature hedgerow trees such as Oaks. Area is scattered with woodland blocks, with more extensive tracts of largely ancient woodland blocks in areas such as West Dunsfold Wooded Low Weald (Area WW2).
- Field sizes are relatively small, predominately laid to pasture and enclosed by tree cover and hedges. The Type also includes, increasingly so to the east, areas of medium-large scale arable fields, which are generally enclosed by boundary vegetation.
- Dunsfold to Pollingfold Wooded Low Weald (Area WW6), which includes Dunsfold airfield, have generally larger field sizes, and fewer woodland blocks, and consequently a more open character than adjacent areas of wooded low weald.
- Shamley Green to Holmwood Wooded Low Weald (Area WW9) and Pinks Hill to Park Hatch Wooded Low Weald (Area WW4) are more elevated, and form the foothills to the wooded greensand hills to the north.
- The area includes a number of meandering watercourses, including steep sided gills running through wooded local valleys.
- There are a number of secluded villages within the Weald, including Chiddingfold, Dunsfold, Alfold and Ewhurst, the town of Cranleigh, and many scattered dwellings and farmsteads located along a network of rural, often sunken, lanes.
- Historic landscape pattern associated with woodland management, grazing of animals, farming and industrial activity.



Based on mapping data licensed from Ordnance Survey, Crown copyright.

WW5: GRAFHAM TO DUNSFOLD WOODED LOW WEALD

Location and Boundaries

The Grafham to Dunsfold Wooded Low Weald Character Area is located to the west of Cranleigh. It is defined by underlying geology, topography, woodland cover, and the edge of the River Wey floodplain and Arun Canal. The boundary follows woodland edges, and other easily recognisable features such as roads and field boundaries. The character area is outside the Surrey Hills AONB, but adjoins it along the character area's western boundary.

Key Characteristics

- Underlain by Wealden Group Mudstone, Siltstone and Sandstone solid geology.
- Relatively low lying, gently undulating landform. Generally sloping to the east, to meet the River Wey and Arun Canal.
- The character area consists of medium scale arable fields and smaller areas of pasture, the majority of the fields are bounded by hedges and tree belts, along with dispersed blocks of mostly broadleaved woodland, which includes some areas of ancient woodland within the northern part of the character area.
- There are views towards the wooded greensand hills to the west and the river floodplain to the east, often framed by tree cover.
- Main roads cross the area, including the A281 which runs roughly north-south along the western boundary of the character area, before crossing through the central southern portion of the character area. Access otherwise follows narrow rural tracks. There is a good network of public rights of way including the Downs Link Recreational Path.

- The character area has no significant areas of settlement, but there are small groups of dwellings and scattered farmsteads, located mainly in the southern half of the character area. .
- The character area includes some small areas of registered common land to the north, including Rushett and Run Commons. Grafham House and its former stabling and coach house are grade II listed buildings.
- A fairly limited amount of woodland is designated as Sites of Nature Conservation Importance.
- A rural tranquil landscape, due to woodland and limited impact from settlement and roads.

Appendix C

Photographs illustrating establishment rate of native woodland buffer plantation
Broadlands North West Planting, Bridgend, South Wales.

Broadlands North West Planting, Bridgend, South Wales.
Designed by Tirlun Design Associates Ltd. & Implemented by Blakedown Landscapes Ltd.



Site prior to implementation. Photograph taken on 05.05.2006



Site at practical completion. Photograph taken on 24.05.2006



Site at inspection. Photograph taken on 14.09.2006



Site at inspection. Photograph taken on 01.08.2008

Appendix D

Appeal Ref: APP/G1630/W/17/3192162
Brookside Stables, Cold Pool Lane



Appeal Decision

Hearing Held on 6 November 2018

Site visit made on 6 November 2018

by Paul Dignan MSc PhD

an Inspector appointed by the Secretary of State

Decision date: 27th November 2018

Appeal Ref: APP/G1630/W/17/3192162

**Brookside Stables, Cold Pool Lane, Badgeworth, Cheltenham,
Gloucestershire, GL51 4UP.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Sally Anne Smith against the decision of Tewkesbury Borough Council.
 - The application Ref. 16/01285/FUL, dated 11 November 2016, was refused by notice dated 4 July 2017.
 - The development proposed is Change of use of land to allow for permanent use as a residential gypsy site for 7 No. mobile homes and 5 No. touring caravans and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for a limited period of 4 years for Change of use of land to use as a residential gypsy site for 7 No. mobile homes and 5 No. touring caravans and associated works at Brookside Stables, Cold Pool Lane, Badgeworth, Cheltenham, Gloucestershire, GL51 4UP in accordance with the terms of the application, Ref. 16/01285/FUL, dated 11 November 2016, subject to the conditions set out in the Schedule attached to this decision.

Reasons

2. The appeal site is in the open countryside between the village of Badgeworth and Up Hatherley, a suburb of Cheltenham. It is in the Gloucester and Cheltenham Green Belt. Much of the site has been in residential use by the appellant and her family since about 2002, initially unauthorised. Planning permission was granted on appeal in 2008 for 4 gypsy/traveller pitches for a temporary period of 5 years. Subsequent temporary permissions allowed the use of the site as a 6-pitch gypsy/traveller site until November 2016. In its current form the site comprises 6 pitches with a shared dayroom and toilet block. The application seeks permanent planning permission for 7 pitches on a larger area than previously permitted, to accommodate 7 mobile homes and 5 touring caravans with spacing to meet site licence regulations.
3. The development plan for the Borough includes the recently adopted (December 2017) Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS) and the saved policies of the Tewkesbury Borough Local Plan (LP) adopted in March 2006, but **the LP policies cited in the Council's reasons** for refusal have now been replaced by equivalent policies within the JCS. The

LP will eventually be replaced by the emerging Tewkesbury Borough Plan (2011-2031) (TBP) which will sit below the JCS, but this is not so advanced as to be accorded significant weight, although it is helpful in indicating the current preferred approach to meeting future need for gypsy and traveller sites.

4. Relevant JCS policies include Policy SD5, which aims to ensure that the Green Belt continues to serve its key functions, Policy SD6 which seeks to protect landscape character, and Policy SD13 which takes a criteria-based approach to the assessment of new gypsy and traveller sites. The JCS does not make any site-specific provision for gypsies and travellers. Although the JCS was adopted before the recent update of national planning policy, set out in the National Planning Policy Framework (NPPF) published in July 2018, it remains consistent so far as this appeal is concerned. National policy for traveller sites is set out in Planning Policy for Traveller Sites (PPTS) which should be read in conjunction with the NPPF. There is no dispute that the appellant and her extended family members who share the site are gypsies and travellers for the purposes of PPTS.
5. The proposed use is inappropriate development in the Green Belt, which is harmful by definition. Hence the main issue is whether the harm by reason of inappropriateness, and any other harm, in this case in terms of Green Belt openness, the purposes of including land in the Green Belt, the effect on rural character and appearance, and site location relative to services and facilities, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the development.
6. When the appellant acquired the site in about 2002 it appears that the land had been subject to considerable fly-tipping, and subsequently planning permission was granted for stables and some hardstanding in roughly the location of the existing dayroom, so some allowance can be made for the previously untidy condition and that some built development was considered acceptable, albeit in the context of a generally appropriate use of Green Belt land. However, the change of use of the land as proposed would cause a significant loss of openness by comparison with the current lawful use as agricultural or equestrian land. It would also encroach onto the countryside, contrary to the purposes of the Green Belt.
7. Green Belt openness can have a visual dimension. In terms of visual impact, the site has strong roadside hedgerows and is thus relatively well screened in its immediate vicinity, but it can be seen from the higher ground on Cold Pool Lane to the north, from where at present the site appears discordant and visually intrusive, largely due to the number of touring caravans present. **The appellant's land includes a small paddock to the north of the proposed residential area which can accommodate planting and hedgerow enhancement, and there is a scheme of landscaping proposed which would in time substantially mitigate the visual impact of the development.** Gypsy and traveller sites are a common sight in the countryside and are not intrinsically discordant or out of character. In this case I consider that the moderate scale of the site, the improved and more spacious layout proposed and the existing and proposed planting would enable the proposed development to integrate satisfactorily with the surrounding landscape which includes other sporadic roadside development of similar scale along Cold Pool Lane. I conclude accordingly that the proposal would not conflict with JCS Policy SD6 and its

- linked criterion in Policy SD13, and the harm to Green Belt openness would not have a significant visual dimension.
8. JCS Policy SD13 also expects proposals to avoid unacceptable impacts on the amenity of neighbouring properties, have satisfactory highway access, no significant flooding, drainage or ground stability concerns, be away from hazardous land or installations, and be well laid out. All of these requirements are met, but the suitability of the location in terms of access to amenities, services and facilities, the remaining criterion, is disputed.
 9. The site is some 450m from Badgeworth, a small settlement which has no community facilities, and some 850m from Up Hatherley, which has shops and a primary school. Although the road is mostly unlit and without pavements, and therefore not suited to walking, the distance to Up Hatherley is not excessive and certainly within easy cycling distance, and a wide range of facilities, including employment opportunities, is available in Cheltenham. In PPTS terms the site can be considered as one of those which is physically away from existing settlements, but it is also in an area that is not remote, being essentially in the Cheltenham hinterland, and one that has good access to the major road network for those who need to travel widely to look for work. The site is not well served by public transport, and access to services and facilities would, in most cases, be dependent on private cars. However, these would only involve short journeys for the most part, and the NPPF recognises that sustainable transport solutions will vary between urban and rural areas.
 10. On balance I consider that the **site's location would not be contrary to the** guidance in PPTS paragraph 25. Although away from an existing settlement, it is not in a location that would lead to unsustainable patterns of travel or cause significant difficulties in accessing services or social integration, nor would it dominate the nearest settled community or place undue pressure on the local infrastructure. In terms of its location, I find the appeal proposal to be in accord with criterion iv of JCS Policy SD13 and with the relevant national policy. In coming to this view I have noted the concerns of other Inspectors regarding the location of other proposed developments, 2 on the edge of Badgeworth, but the appeal site is much closer to the urban edge and well related to the wider road network, an important consideration for gypsy and traveller sites. Being a well-established site, there is also ample evidence that its location has not been a barrier to the promotion of peaceful and integrated co-existence between the site and the local community.

Other considerations

The need for, and provision of, traveller sites and the availability of alternative sites

11. PPTS aims to ensure fair and equal treatment for travellers in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. Amongst other things, it expects local planning authorities to increase the number of traveller sites in appropriate locations to address under provision and maintain an appropriate level of supply. PPTS requires local planning authorities to make their own assessment of need for the purposes of planning, to set pitch targets for travellers which address the likely needs, and to identify a supply of specific

deliverable sites sufficient to provide **5 years' worth of sites against their** locally set targets.

12. **The Council's most up-**to-date information on the need for sites is the *Gloucestershire (Cheltenham, Cotswold, Forest of Dean, Gloucester, Stroud and Tewkesbury) Gypsy and Traveller Accommodation Assessment* (GTAA), published in March 2017. The GTAA, including its methodology, was considered by the Inspector examining the JCS and found to be robust, having considered the criticisms of the methodology advanced in this appeal. Aside from one matter which I return to below, I do not consider it appropriate to revisit those in the context of a planning appeal less than a year after adoption. On the basis of the GTAA the JCS identified the need for gypsy and traveller sites within the Borough for those who meet or are likely to meet the current definition for PPTS purposes to be 5 pitches for the 5-year period June 2018 to May 2023, and 10 over the full plan period 2016 to 2031.
13. The GTAA identified a significant number of gypsy and traveller households about whom it did not have sufficient information to establish whether they met the PPTS definition (**'unknown' households**), so the GTAA used an assumption that 10% of those would be likely to meet the definition. The 10% figure was apparently based on experience nationally by the company who prepared the GTAA, Opinion Research Services (ORS). The appellant has referred me to the response of ORS to questions raised by the examining Inspector assessing the emerging Havering Local Plan. The Havering GTAA (2018) was also prepared by ORS and also applied the 10% figure to **'unknown' households**. However, in the September 2018 response to the **Inspector's** query about the justification for that figure ORS offered the view that it now considered that the proportion of such households that meet the PPTS definition nationally is approximately 25%, apparently on the basis of the higher number of interviews it had by then conducted.
14. By my calculation, applying a factor of 25% rather than the 10% to the **'unknown' households identified in the Borough** by the GTAA process results in a requirement of an additional 7 pitches over the plan period, increasing the overall requirement in the 5 year period to 2023 to approximately 8. Since the start of the plan period permanent planning permission has been granted for 20 pitches, including 14 since April 2017. Hence even if the **higher 'unknown household figure is used the Borough** would still be able to **identify a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets.**
15. The demonstrable 5-year supply of specific deliverable sites against the locally set targets meets the expectations of PPTS. Despite this there are at present no suitable and available alternative pitches within the Borough for the 7 households living on the appeal site. That there are no available sites for people who have lived in a local authority area for some years without a permanent pitch, and hence will have been included in any up-to-date needs assessment, is particularly common where the supply relies upon private sites, as appears to be the case here. Hence meeting the basic requirements of PPTS in terms of a numerical 5-year supply does not necessarily mean that there are sites available for those in need. The lack of anywhere else for the current occupants to move in the locality, along with the undersupply of

traveller sites regionally and nationally, are matters which must be accorded substantial weight.

Personal considerations

16. The site occupants are essentially a single extended family. A number of occupants have significant health problems which can only be properly managed from a settled site, and in some instances they rely heavily on others on the site for care and support. Extended family living together for mutual support is characteristic of the gypsy way of life, and the proposal **would therefore be consistent with the Government's** aim of facilitating the traditional and nomadic way of life of travellers.
17. There are currently 10 children living on the site, all either in school locally or under school age. Some have health problems which require regular check-ups or specialist treatment which is available to them in Cheltenham. Having a settled base has enabled the occupants with health issues to manage their conditions, and ensured that the children have a settled and consistent education, as well as having access to health and welfare resources, significantly enhancing their life prospects by comparison with a roadside existence. There can be no doubt that continuing to live within the extended family environment with all of the other advantages of a settled base is in the **children's** best interests. It is also noteworthy that having lived on the site for many years the extended family has built up relations and connections with the local community.
18. Poor access for travellers to health and education is one of the problems that PPTS seeks to address through the provision of settled bases that reduce the need for long-distance travelling, enable access to appropriate health services and that allow children to attend school on a regular basis. In view of the lack of identifiable alternatives, it is very likely that dismissing the appeal would lead to all of the households on the site having to resort to a roadside existence. This would have extremely negative consequences for the children, for some of the adults it would make it difficult to manage health conditions and access regular health services, and, in all likelihood and it would engender disharmony between the traveller and settled community. Further, the family based group would find it difficult to find a settled base elsewhere that would accommodate all of them, so dismissal of the appeal would fail to support a key characteristic of the gypsy way of life.
19. The personal circumstances of the site occupants, their personal and group need for a settled site, the benefits of already established relations with the settled community from this particular site, the best interests of the many children on the site, and the likely serious adverse consequences of resorting to the roadside are matters which carry substantial weight in favour of the appeal.

The emerging Tewkesbury Borough Plan

20. The GTAA indicates that Tewkesbury Borough has an overall need for 78 gypsy/traveller pitches for the JCS plan period to 2031, made up of those **who meet the PPTS definition, those who don't ('non-travelling households') and the 'unknown households.** The intention is to make culturally specific provision for all as part of the overall housing mix. Accordingly there is currently a requirement for a further 58 pitches. As part of the process Policy

GTTS1 of the TBP proposes to make site allocations. The TBP Preferred Options consultation published in October 2018 includes the appeal site as one of only 4 identified sites for consideration, noting that no further site options were deemed to be available. The Parish Council has indicated that it will object to the allocation of the appeal site, but its inclusion in the limited number of sites means that there is a reasonable prospect of it coming forward as an allocated site in the future. This provides substantial weight in favour of a temporary permission having regard to the substantial disruption of having to vacate a long-standing site that has been considered worthy of a temporary permission while it remains under consideration.

Overall Balance and conclusions

21. At the onset of considering the issues in the planning balance I have borne in mind the duty placed on me within the Public Sector Equality Duty. I have also considered the best interests of the children as a primary consideration. Paragraph 22 of the PPTS notes that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the definitional harm due to inappropriateness in the Green Belt, loss of openness and encroachment on the countryside contrary to a Green Belt purpose carry very substantial weight against a grant of permanent permission.
22. On the other side of the balance there are a number of factors that weigh in favour of planning permission. There is no doubt that the occupiers have a personal need for a site and living as an extended family group is consistent with the aim of facilitating the traditional and nomadic way of life of travellers. Some weight in favour of the appeal arises from the undersupply of traveller sites regionally and nationally, and further weight must be accorded to the current lack of suitable alternative sites in the Borough to meet the immediate needs of the site occupants. There is evidence of integration and the site provides the occupiers with good access to education and health care. Notwithstanding its location in the countryside it is in a relatively sustainable location in many ways, and having a settled base is in the best interests of the children, having regard in particular to the highly unsatisfactory alternative of possibly having to resort to roadside living.
23. Overall however, I consider that the material considerations in favour of the development do not clearly outweigh the Green Belt harm so as to give rise to the very special circumstances necessary to justify inappropriate development in the Green Belt. Notwithstanding compliance with the criteria based JSC SD13 and with Policy SD6, in the absence of very special circumstances there is conflict with JCS Policy SD5, and accordingly with the development plan read as a whole.
24. Turning to the case for a temporary permission, any Green Belt harm would be time-limited and the position regarding the availability of alternative sites is likely to improve through the current local plan preparation process. This will enable the site to be fully assessed against the objectives of the emerging TBP in accordance with the approach to gypsy and traveller sites in the Green Belt advocated by national policy. On balance, and having regard to the timetable for adoption of the TBP I consider that a temporary permission for a period of 4 years is justified in the circumstances, the weight of material considerations being sufficient to clearly outweigh the time-limited

harm and establish the very special circumstances necessary to accord with the development plan.

25. In view of the weight I attach to the occupiers personal circumstances I shall restrict occupation of the site to the current occupiers. Because of the personal restriction and the limited timeframe I consider that a further condition restricting the use to gypsies and travellers is not necessary.
26. **Even a grant of temporary permission interferes with the occupiers' human rights**, but I consider that a temporary permission is a proportionate interference in all the circumstances.
27. Despite the limited period, there is a need for new landscaping to avoid harm to local character due to the extended area covered by the development and the amended layout, which includes the removal of a laurel hedge. This justifies the imposition of a condition requiring a site layout and landscape management scheme in line with that submitted, but with phasing to maintain existing screening in the northern paddock while planting develops. The time-limited nature of the permission also justifies a requirement for restoration. In the interests of character and appearance and local amenity I shall also condition external lighting, foul and surface water disposal and restrict commercial use and vehicle size. I shall also restrict use of the dayroom to purposes ancillary to the residential occupancy of the caravans in the interests of the living conditions of the site occupiers.

Paul Dignan

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Dr Simon Ruston	Ruston Planning Ltd
Rhodri Crandon	Landscape Architect, Tirlun Design
Sally Anne Smith	Appellant
Maggie Smith BEM	Retired Gypsy Liaison Officer

FOR THE LOCAL PLANNING AUTHORITY:

Helen Stocks	Senior Planning Officer
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INTERESTED PERSONS

Nigel Cottell	Badgeworth Parish Council
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DOCUMENTS

- 1 Signed Statement of Common Ground
- 2 **Post-hearing note clarifying Council's 5 year supply and its approach to meeting wider Gypsy and Traveller need.**

Appeal Ref: APP/G1630/W/17/3192162 - Schedule of Conditions

- 1) The use hereby permitted shall be carried on only by (1) Sally Ann Smith and Denny Smith, (2) Denny Smith and Cheryl Smith and their resident dependants, (3) Natalie Maguire and Ben Maguire and their resident dependants, (4) Jodie Maloney and Steven Maloney and their resident dependants, (5) Marion Richards and Johnny Richards, (6) Rocky Smith and Marion Smith and their resident dependants, and (7) Luke Smith and his wife and their resident dependants, and shall be for a limited period being the period of four years from the date of this decision.
- 2) When the land cease to be occupied by those named above, or at the end of four years, whichever shall first occur, all caravans, buildings, structures, materials and equipment brought onto, or erected on the land, including the dayroom, or works undertaken to it in connection with the use shall be removed, and the land restored to its condition before the development took place.
- 3) No more than 12 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time, of which no more than 7 shall be a static caravan or mobile home.
- 4) No further development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme showing the layout and landscaping of the site, in line with that shown in Drawing No. TDA.2238.03, dated January 2017, submitted with the Site Layout and Landscape Design Statement. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained, set out measures for their protection throughout the course of development, and include a scheme of further planting with details of phasing and measures for protection or replacement in the event of any loss. The approved details shall be implemented and retained for the duration of the development.
- 5) No further development shall take place until details of any external lighting have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained for the duration of the development.
- 6) No further development shall take place until details of the means of foul and surface water drainage have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained for the duration of the development.
- 7) The day room on the site shall be used solely for purposes ancillary to the residential occupancy of the caravans on the site.
- 8) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site and no commercial activities shall take place on the land, including the external storage of materials.

Appendix E

Appeal Ref: APP/R3705/W/18/3199149
The Caravan Site, Highfields Lane



Appeal Decision

Inquiry held on 16 and 17 July 2019

Site visit made on 16 July 2019

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 29th August 2019

Appeal Ref: APP/R3705/W/18/3199149

The Caravan Site, Highfield Lane, Corley Ash, Warwickshire CV7 8BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs I and Mr and Mrs S Doherty against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2017/0547, dated 3 October 2017, was refused by notice dated 6 March 2018.
 - The development is **described as** 'change of use of land to a gypsy and traveller caravan site consisting of 2 no. pitches, each of which would contain 1 no. mobile home and 1 no. touring caravan, and associated works.'
-

Decision

1. The appeal is allowed, and planning permission is granted for the change of use of land to a gypsy and traveller caravan site consisting of 2 no. pitches, which together would contain 2 no. mobile homes and 5 no. touring caravans, and associated works at The Caravan Site, Highfield Lane, Corley Ash, Warwickshire CV7 8BJ in accordance with the terms of the application, Ref PAP/2017/0547, dated 3 October 2017, subject to the conditions set out in the attached schedule.

Background and Main Issues

2. The appeal site has been in use as a gypsy and traveller caravan site by the appellants since 2009. For a short period from 2012 the site had a temporary personal permission for two traveller pitches for use by the appellants.
3. The site layout plan submitted with the application (Drawing TDA.2352.03) shows two mobile homes and five touring caravans. When I visited there were two mobile homes and five tourers at the site. At the inquiry the appellants confirmed that their intention was to seek permission for this number of mobile homes and tourers, despite the description of development on the application form. The Council also confirmed that it considered the application on the basis of the site layout plan and had no objection to the appeal being determined on the same terms. The substance of the development would not change. No party would be prejudiced by my deciding the appeal based on two mobile homes and five touring caravans which is reflected in the decision itself.
4. A Statement of Common Ground (SOCG) dated December 2018 between the appellants and the Council sets out the matters that are agreed and those that are disputed. The site lies in the Green Belt. The main parties agree that the

proposal is inappropriate development in the Green Belt as set out in paragraph 16 of '**Planning policy for traveller sites**' (PPTS). The Council accepts that the appellants and their families meet the **planning definition of 'gypsies and travellers' within the Glossary to PPTS**. Based on the information before me I see no reason to take a different view. Therefore, PPTS, which sets out **the Government's policy for traveller sites applies, as do development plan policies relevant to travellers**.

5. Taking into account the written evidence, the SOCG, what I heard at the inquiry and my site visits to the site and surroundings, the main issues are:
 - (1) the effect on Green Belt openness and purposes;
 - (2) the effect on the character and appearance of the area;
 - (3) whether the use would result in a sustainable pattern of development with particular reference to accessibility to services; and,
 - (4) whether the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Green Belt openness and purposes

6. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
7. The site contains a large Nissen Hut at the rear but, without the caravan site use, would otherwise be open. The stationing of the mobile homes and tourers, the parking of vehicles, and the domestic paraphernalia associated with the use, including the small bathroom buildings and sheds shown on the plans and present on the site, leads in spatial terms to loss of openness for the part of the site between the Nissen Hut and Highfield Lane compared to an open site.
8. Openness has a visual dimension as well as a spatial aspect. The mobile homes, caravans, small buildings, parked vehicles and domestic activity are visible through the gates at the site entrance. However, otherwise the site is well-enclosed by existing vegetation. This landscaping would be consolidated by further planting, including trees, hedging and understorey buffers around a realigned site entrance which would provide further natural enclosure to the site. The mobile homes, tourers and other structures are not readily visible as the site is approached from the east and west along Highfield Lane or from footpaths to the north of the lane and south of the M6. The Nissen Hut which is likely to remain, come what may, is the most prominent feature.
9. The site was used **in the 1970's** for the storage of plant, machinery and materials associated with construction of the nearby M6 motorway. The Nissen Hut was erected in connection with those works. In 2002 planning permission was granted for use of the site for storage purposes, albeit with a condition restricting storage to the building itself. This use was implemented. It is not disputed that the storage use could lawfully recommence. The site is owned by Warwickshire County Council (WCC) who would be expected to achieve rental income from the site. The storage use, which could include the parking of a significant number of commercial vehicles on hardstandings on the open areas

of the site, other on-site activity and traffic generation associated with a business use, represents a genuine fallback position.

10. In terms of Green Belt purposes, concerns raised by the Council focus on safeguarding the countryside from encroachment. However, the use would remain within the existing clearly defined physical limits of a previously developed site with no spilling over onto adjacent land. There would be no material encroachment of development into the countryside.
11. In conclusion, taking into account the previous use and the fallback position, the proposal would not lead to a material loss of Green Belt openness and would not conflict with any Green Belt purposes, including that of safeguarding the countryside from encroachment.

Character and appearance

12. There are fields used for arable crops and grazing to the west and east of the appeal site and on the northern side of Highfield Lane. The rising ground to the south of the M6 has similar characteristics. However, the busy M6 with its traffic noise has a significant effect on the character of the area and, together with Corley Services and a new gantry, dominates views from the bridge over the motorway to the east of the site. The gantry also forms a backdrop to the site in views from the lane, as do electricity pylons in the middle distance. Therefore, although in a countryside location, urban influences are present.
13. The site lies within the *Church End to Corley – Arden Hills and Valleys Character Area* in the Landscape Character Assessment¹ (LCA). The description recognises that the southern and eastern parts of the Character Area are affected by a network of busier lanes, the M6 and pylons, so has many suburban elements.
14. In this context, apart from the Nissen Hut, the relatively well-screened site is not prominent or discordant. The proposed planting would assist further with the **development's assimilation** into the countryside. The screening would be less effective when the vegetation is not in leaf, but it would also provide less screening to a commercial use on the site. Taking into account the existing characteristics of the site and the fallback position, the use would not offend the landscape and management objectives set out in the LCA.
15. Accordingly, the proposal would not have a significant adverse effect on the character and appearance of the area. The site would comply with the last bullet point contained within Policy NW8 of the North Warwickshire Core Strategy (CS) adopted in October 2014 and the criterion with the same wording in Policy LP10 of the emerging North Warwickshire Local Plan (ELP) in that the site can be assimilated into its surroundings and landscape without any significant adverse effect. These policies and PPTS recognise that traveller sites can be located in rural areas, they can be a common sight in the countryside, and they are not intrinsically discordant features.
16. I would not go as far as suggesting that the development would positively improve the quality of the area or restore landscape character as required by Policies NW12 and NW13. However, it seems to me that the former policy is primarily targeted at new build development in settlements and the latter at the protection of natural assets. Neither policy is directly relevant in this case.

¹ North Warwickshire Landscape Character Assessment and Capacity Study August 2010

They were not referred to in the decision notice. Policy NW8 is the most important policy for determining the appeal.

Sustainable pattern of development

17. The nearest villages to the appeal site are Corley and Fillongley about 1.5 miles to the west. The villages provide limited services, although there is a primary **school and small doctors' surgery in Fillongley**. The nearest shop is at Keresley End about 1.5 miles to the south-east. The towns of Bedworth and Nuneaton lie further away to the east where there are primary and secondary schools as well as health services and shopping facilities. The outer limits of Coventry with its wider range of facilities are about five miles to the south. The site is not physically isolated or away from the existing settlements which together provide a good range of facilities.
18. There are pavements linking the site to Fillongley and along most of the route to Corley via Highfield Lane and Tamworth Road, the B4098. There is street lighting on the B4098 towards Fillongley. There is also a bus service to Coventry on Tamworth Road about ½ mile from the site. Using the bus is an alternative to the private vehicle, although the service is limited to four buses in each direction on weekdays, two buses on Saturdays with no Sunday service. Some of the children on the site use school transport which stops at the site entrance.
19. However, despite the existence of the school bus service and a safe walking route to the nearest settlements and public transport, most journeys, including shopping trips and visits to the doctors or hospital, are likely to be undertaken by private vehicle. However, trips to access facilities would not be long.
20. Overall the use would result in a sustainable pattern of development with particular reference to accessibility to services. The proposal would accord with Policy NW8 of the CS and Policy LP10 of the ELP as the site is suitably located within a safe, reasonable walking distance of a settlement development boundary at Fillongley and a public transport service, with access to a range of services, including school and health services. There is no conflict with the **Government's policy of very strictly limiting new traveller development in open countryside** as the site is not away from existing settlements. Based on my experience the site compares favourably with many traveller sites in terms of access to services.
21. Policies NW2 of the CS and Policy LP2 of the ELP indicate that development beyond settlements with a development boundary will be limited to that which requires a rural location. I consider that the proposal accords with these policies because the provisions of Policies NW8 and LP10 and PPTS taken together indicate that traveller sites may require a rural location.

Other considerations

Need for and provision of sites

22. The CS through Policy NW7 identified a need for 9 residential and 5 transit gypsy and traveller pitches in the period 2011 to 2028. Permanent permissions since 2011 have resulted in 17 private residential pitches and 12 transit pitches being provided or approved which exceeds the requirement and has allowed the Council to maintain **5 years' worth of** specific deliverable sites against the requirement. That said, the fact that the requirement has been exceeded

- should not prevent other suitable sustainable sites coming forward. The requirement is not a ceiling.
23. The Gypsy and Traveller Accommodation Assessment (GTAA) that informed the CS was published in 2013 and is based on evidence collected in 2012. The appellants criticise the 2013 GTAA for not assessing all of the need at that time. For example, the two pitches on the appeal site do not appear to have been taken into account as a temporary permission. Other sites which were unauthorised do not seem to have been counted. That said, there do not appear to have been any objections to the 2013 GTAA as a basis for Policy NW7, during the examination of the CS. Indeed, there was input from the traveller community. It is not for me to go back 6 years and reassess the need identified in the CS in the context of a planning appeal.
24. The 2013 GTAA has also been used to inform the ELP. The ELP identifies the same requirement for the same period as the CS, 2011 to 2028, even though the ELP plan period is up to 2033. On the face of it, this emerging requirement has also been met.
25. However, the Inspector examining the ELP has requested justification for the approach having regard to the latest evidence in respect of traveller needs relative to supply. I take it from this that he expects the Council to update its evidence base to support the ELP which is not surprising given that the GTAA is over 6 years old. Indeed, the Council has commissioned a new GTAA with Tamworth and Lichfield Districts with an anticipated publication date of later in 2019. Whilst not wishing to predict the extent of current need, it is likely, based on a combination of factors such as household growth from the authorised pitches within the Borough; the needs from the appeal site and other unauthorised encampments, the waiting list and **those in 'bricks and mortar'**; and the extended plan period; that the figure will be higher than currently set out within Policy LP6 of the ELP. In the circumstances I give Policy LP6, insofar as it relates to gypsy and traveller pitches, limited weight.
26. PPTS expects allocations to be made where there is an identified need. The CS anticipated that pitch allocations would come forward as part of a separate Development Plan Document (DPD). No such DPD has been prepared. Whilst the lack of allocations has not prevented sites coming forward and the windfall permissions granted exceed the requirement, they do not necessarily meet the needs of all traveller families. For example, there is likely to be those who cannot afford to purchase a private site and may require pitches of a different tenure such as those for rent. When comparing the approach of the development plan to the settled community, allocations would assist in addressing duties under the Equality Act 2010, including the Public Sector Equality Duty. Although it is accepted that no sites were put forward for allocation in response to a **'call for sites'**, this does not mean that the Council should necessarily have avoided its obligations to find sites to allocate, including through the use of publicly-owned land or acquisition powers.
27. In conclusion, whilst the development plan requirement has been met, the evidence base is dated. Until the new GTAA and ELP examination are completed it is not possible to quantify the current level of need. But it is likely that the need will be greater than the requirement identified in the ELP. Moreover, although a steady supply of private sites has come forward, the CS, the ELP or another DPD have not allocated land. These factors are reflected in

the waiting lists for public sites and the inability of WCC or the appellants themselves to find an alternative to the appeal site.

Alternative sites

28. WCC arranged for the appellants to move from the County Council owned site at Griff in Bedworth to the appeal site in 2009 due to the chronic health needs of one of the children. The Griff site could not cater for those needs. In granting the temporary personal permission in 2012, these particular personal circumstances were a weighty factor for WCC. Sadly, the child passed away in 2013 and the permission lapsed.
29. For the last 6 years both WCC and the appellants have been seeking an alternative site. There have been vacant pitches at the Griff site but for reasons explained in evidence these would not be suitable. Other public sites are oversubscribed. The appellants have been unable to find a piece of land that is affordable and suitable. No other suitable alternative sites have been found by WCC. This is confirmed by court proceedings in January 2016 and September 2017 when the judgements required that WCC only enforce possession of the land if a suitable alternative of two pitches together was offered. No offer of suitable sites has been made to date. No known alternative sites are available for the appellants and their families.

Personal circumstances

30. The families have been on the appeal site for 10 years. Their move to the site was supported by WCC. They have invested a lot of money to make it neat and tidy. There are emotional ties to the site. There has been integration into the community through connections with local schools and a church.
31. Together the appellants have 13 children, 6 of whom currently attend schools in Bedworth and Nuneaton. The evidence indicates that attendance at the schools has been a considerable benefit to the children.
32. The adults on the site have had specific health conditions documented in the evidence and have attended appointments nearby in relation to those conditions. The adults and their children are registered with surgeries in nearby settlements.
33. Remaining on the site would allow those children in school to continue with their education in a place that they feel settled and those with health conditions to continue to access regular appointments. The benefits of a settled base are well-documented in terms of education and access to health care. There would also be advantages for the general well-being of the families in being finally settled and maintaining access to basic amenities and a secure living environment. In particular retaining a settled base would be in the best interests of the children. In stark contrast the alternative of an itinerant life by the roadside would be damaging to the education, health and well-being of the families. Living by the side of the road would not be an inevitable consequence of dismissing the appeal because of **WCC's obligations, but it would be** a more likely outcome in the long run.

Other matters

34. Paragraph 13 of PPTS recognises that whether traveller sites are sustainable should be considered in the round taking into account economic, social and

environmental dimensions. The occupants appear to have existed peacefully with the local community. The settled base allows all residents access to health services and for the younger children to attend school regularly. Being on the site reduces the families' need for long-distance travelling and encampments by the roadside which can lead to tensions between the settled and traveller communities and the potential for anti-social behaviour. There is no evidence of pressure on local infrastructure or services. The site allows some of the occupiers to live and work from the same location. The site is not in an area at high risk of flooding. There is no evidence before me that the proximity of the site to the M6 leads to an unacceptable living environment by reason of noise or air quality. The vehicular access to the site has acceptable visibility. The site is served by a good highway network.

35. The site is previously-developed land. PPTS advises that weight should be attached to the effective use of brownfield land. The explanation to Policy NW8 refers, for sites that fall outside a development boundary, to a preference for previously-developed land. In addition, the other factors within paragraph 26 of PPTS would be achieved – the site would be well planned and soft landscaped, would provide a play area for the children and would not be enclosed by hard landscaping – and can be given weight in favour.
36. There are understandable local concerns that the appellants have been occupying land that they do not own, without permission. The unauthorised use has been taking place since 2013. **The Government's Planning Policy** Statement of August 2015 indicated that intentional unauthorised development is a material consideration that should be weighed in the determination of appeals. That said, permission would end a long period of uncertainty for both the site occupants and local people.
37. The appellants do not own the site and have illegally occupied it for the last 6 years. WCC has been seeking repossession. It is stated that the site is leased to a farmer but, unlike neighbouring land, there is no evidence of it having been used for agricultural purposes. Moreover, the primary reasons for repossession are cited as planning issues. In 2012 WCC accepted that, if very special circumstances were demonstrated, then that was reason to allow the families to remain. I see no reason why a public authority should take a different approach now. Should planning permission be granted it would be in the interests of WCC to put in place arrangements to provide for the families and obtain an income from the land. The site should be deliverable and would count towards the supply of sites in the Borough.

Planning Balance, Conditions and Conclusion

Planning Balance

38. The National Planning Policy Framework (the Framework) requires that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
39. The proposal would represent inappropriate development which attracts substantial weight. In terms of other harm, moderate weight should also be attached to the harm caused by the intentional unauthorised development. I have found no other specific material harm from the development.

40. The effects on Green Belt openness, the Green Belt purpose of safeguarding the countryside from encroachment and the character and appearance of the area are neutral considerations in the planning balance for the reasons given earlier.
41. In terms of benefits, the use would result in a sustainable pattern of development with particular reference to accessibility to services and would meet the sustainability considerations set out in paragraph 13 of the PPTS. Taken together these sustainability considerations attract moderate weight.
42. In terms of other factors in favour, moderate weight should be afforded to the combination of factors related to the need and provision of sites – the likely need for traveller sites in the Borough going forward, the failure of policy in allocating sites and providing an ongoing supply, and the lack of alternative sites for the particular families.
43. I attach significant weight to the factors referred to in paragraph 26 of PPTS, notably the use of brownfield land.
44. The personal circumstances of the families are a consideration which should be afforded significant weight in the planning balance taking into account the time they have resided on the site. This has resulted in strong ties being developed and continuity in education and health care provision. The best interests of the children, **the families' right to a home** and the ability to live together as part of their traditional way of life would all be served by a permission.
45. Overall, my conclusions are that the harm by reason of inappropriate development in the Green Belt together with the harm by reason of intentional unauthorised development are clearly outweighed by the sustainability benefits, the need and provision factors, the use of brownfield land and the personal circumstances. These other considerations, taken together, are sufficient to constitute the very special circumstances necessary to justify a permanent permission.
46. PPTS makes it clear that personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. In this case need is not a substantial factor in favour. But the other considerations in favour go beyond the need issue and personal circumstances.
47. In terms of the development plan, because the site is within the Green Belt and despite the proposal's compliance with the bullet-pointed criteria within the policy, there would be conflict with Policy NW8 of the CS. I have not found any material conflict with other policies of the development plan. Policy NW3 clarifies the extent of the Green Belt, leaving the definition of inappropriate development to the Framework, so there is no direct conflict with that policy. I only attach limited weight to the traveller policies of the ELP because they are subject to examination and the Inspector has raised questions about the evidence base. That said, Policy NW8 is the most important policy for determining the appeal and is not out-of-date. The proposal would conflict with the development plan overall.
48. However, in this case the material considerations that clearly outweigh the harm to the Green Belt and other harm indicate that the appeal should be determined other than in accordance with the development plan.

49. In coming to my conclusions, I have taken into account that 40% of the Borough is not in the Green Belt. Those gypsy and traveller sites permitted since 2011 have been beyond the Green Belt. This is an approach that is consistent with national and development plan policy. However, the particular circumstances that apply in this case are exceptional and are unlikely to be repeated. This decision should not undermine the Council's approach.

Conditions

50. In granting planning permission, a condition limiting occupation to the two particular families is necessary as personal circumstances have been a significant factor in granting planning permission. There is no need for an additional condition limiting occupation to those who meet the definition of travellers within PPTS as the appellants' status is not in doubt. Once occupation by the families ends the site may need some restoration which should also be required by condition.
51. The site layout plan is acceptable in respect of the re-siting of some of the caravans and provision of additional soft landscaping and so is referred to in the conditions for certainty. That said, certain elements of the layout may need adjusting to reflect the need for acceptable foul and surface water drainage and to take into account the ancillary development that is currently on the site, including a recently erected dayroom. A condition requiring the submission of a site development scheme would allow all factors to be taken into account in the final layout. The quality of the existing and proposed landscaping would be ruined if the site was to be enclosed by fencing or walls or other elements were to be introduced. The site development scheme condition should control such additional features.
52. Conditions are required to limit the number of pitches, caravans and commercial vehicles in the interests of Green Belt openness and the character and appearance of the area. Controls on commercial activities, including storage, are needed for similar reasons.

Conclusion

53. For the reasons given above I conclude that the appeal should be allowed subject to the conditions discussed above and set out in the attached schedule.

Mark Dakeyne

INSPECTOR

Attached – Schedule of Conditions

SCHEDULE OF CONDITIONS

- 1) The occupation of the site hereby permitted shall be carried on only by Mr Isaac and Mrs Lisa Doherty and their resident dependants and Mr Steven Doherty and Mrs Rebecca Doherty and their resident dependants.
- 2) When the land ceases to be occupied by those named in condition no 1 above, all mobile homes, caravans, buildings, structures, materials and equipment brought onto the land or works undertaken in connection with the use shall be removed and the land restored to its condition before the development took place.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan TDA.2352.01 and Site Layout and Detailed Landscape Proposals TDA.2352.03, except where amended by the Site Development Scheme required by condition no 4.
- 4) The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 3 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - (i) within 3 months of the date of this decision a scheme (hereafter referred to as the Site Development Scheme) shall have been submitted for the written approval of the local planning authority for:
 - (a) the internal layout of the site, including the siting of caravans and any ancillary structures and the position of hardstandings and parking areas;
 - (b) any adjustments to the soft landscaping scheme and siting of the play area shown on Drawing TDA.2352.03;
 - (c) any external lighting within the site; and,
 - (d) details of foul and surface water drainage.
 - (ii) If within 12 months of the date of this decision the local planning authority refuse to approve the Site Development Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - (iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Site Development Scheme shall have been approved by the Secretary of State.
 - (iv) The Site Development Scheme shall be implemented in full in accordance with the approved details no later than 6 months from its written approval.

Upon implementation of the approved Site Development Scheme specified in this condition, that scheme shall thereafter be maintained. No structures, lighting, hardstandings or means of enclosure other than those forming part of the approved scheme shall be constructed or erected on the site.

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.

- 5) If within a period of 5 years from the implementation of the Site Development Scheme, any trees or plants which formed part of the approved site development scheme die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.
- 6) There shall be no more than 2 traveller pitches on the site. No more than 7 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 the site of which no more than 2 shall be static caravans or mobile homes.
- 7) No more than four commercial vehicles shall be stationed, parked or stored on the site. Each vehicle shall not exceed 3.5 tonnes in unloaded weight. No other commercial vehicles shall be kept on the land.
- 8) No commercial activities, including the storage of materials, shall take place on the land, including within the Nissen Hut, other than the storage of materials in vehicles authorised to be parked on the site.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Jack Smyth of Counsel Instructed by Steve Macey, **the Council's** Acting Chief Executive

He called

Mike Dittman MRTPI Senior Planning Officer

FOR THE APPELLANT

Stephen Cottle of Counsel Instructed by Dr Angus Murdoch

He called

Rhodri Crandon TDA Landscape Consultancy
BA(Hons) Dip LA

Isaac Doherty Appellant

Steven Doherty Appellant

Dr Angus Murdoch Planning Consultant
BA(Hons) MSC PHD MA MRTPI

PLANS AND DOCUMENTS SUBMITTED AT THE INQUIRY

DOC 1 – E-mail of 15 July 2019 with details of planning applications for traveller pitches, submitted by the appellants

DOC 2 – **Examining Inspector's Note dated** 12 June 2019 regarding progress on the ELP, submitted by the appellants

DOC 3 – **Appellants' opening statement**

DOC 4 – **Council's** opening statement

DOC 5 – Appendix 5 to the ELP showing authorised traveller sites, submitted by the appellants

DOC 6 – Coventry and Warwickshire Joint Green Belt Study dated April 2016, submitted by the Council

DOC 7 - **Examining Inspector's Note dated** 14 December 2018 regarding progress on the ELP following initial hearings, submitted by the appellants

DOC 8 – Common Ground – Equality, good race relations and sites for Gypsies and Irish Travellers - Report of a CRE inquiry in England and Wales, submitted by the appellants

DOC 9 – Committee report on planning application for an emergency stopping place at land adjacent to Oldbury Road, Nr Oldbury, Warwickshire dated January 2016, submitted by the appellants

DOC 10 – Schedule of Conditions agreed by the main parties

DOC 11 – **Council's closing submissions**

DOC 12 – Plan of site in connection with planning application Ref: PAP/2-017/0236 subject to refusal in June 2017, submitted by the appellants

DOC 13 – List of Authorities relied on by the appellants

DOC 14 – United Nations Convention on the Rights of the Child – General Comment on the rights of a child taken as a primary consideration (May 2013), submitted by the appellants

DOC 15 – British Railways Board v Secretary of State for the Environment and Others – House of Lords judgement – 1993 WL 963747, submitted by the appellants

DOC 16 – Peter Sharma v Secretary of State for Housing, Communities and Local Government – [2018] EWHC 2355 (Admin), submitted by the appellants