

**IN THE MATTER OF APPEALS UNDER S78 AND S174 OF THE TOWN AND
COUNTRY PLANNING ACT 1990**

**IN RELATION TO LAND AT PLOT 1, LAND WEST OF STOVOLDS HILL, CRANLEIGH
GU6 8UX**

**Change of use of land to provide 1 gypsy pitch comprising 1 mobile home and 1
touring caravan; erection of 1 day room with associated parking hardstanding.**

Appeal Refs: APP/R3650/W/25/3367393

LPA Refs: WA/2025/00495

PROOF OF EVIDENCE OF BARNEY DOHERTY

1. My name is Barney Doherty and I live at the appeal site with my wife Elizabeth Theresa Doherty (Theresa) and our 2 children, Barney and Rose. [REDACTED]
[REDACTED]

BACKGROUND INFORMATION

2. I was born in Harrow and lived on various sites and on roadside encampments up until I was about 12/13 years old. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

██████ had very limited time in bricks and mortar accommodation ██████

██

██

██

3. I have now been travelling in and around the Surrey area for over ten years. I have been on the roadside for most of my life apart from the very short period of time I stayed with my grandparents. I tend to travel with my wife, kids and immediate cousins. I have many cousins that live around this area. Matthew and Mark who live on plots 3 and 4 are my cousins.
4. Whilst travelling, I used to carry out various jobs including working for other Travellers, repairing their machinery and looking after their animals. I am good at fixing machinery. I have also done some window cleaning work. I bought the land in 2019. At that time I was living with cousins at a site in Leatherhead. My cousin Rose has a site there and as members of her family were away travelling, she allowed me and my family to rent a pitch from her. Up until then we had been moving around different camps, car parks and sometimes doubling up with other family members.
5. However, when Rose's son returned from travelling, she informed me that we had to leave and we had nowhere else to go. Moving around on encampments was extremely difficult during Covid and the lockdowns and we had no other option but to move on to the land I had bought (this site). I bought the land in 2019, before the covid lockdowns but did not move on until 2021. I am not very good dates and cannot remember the month we moved on.
6. The Council then got an interim injunction from the High Court, and we had to leave the land. This is the time I had managed to save up some money and obtained legal advice from a Solicitor called Rebecca Hawkesley. When the interim injunction was made, we were told that we had to leave otherwise we could face going to prison. We moved around various camps and then managed to get back onto my cousin's land in Leatherhead as there was a pitch which was temporarily empty.

7. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
8. We left Rose's place and returned to our site and have stayed here ever since. I had to think about the safety of my family and that was my main priority. I could not have them living somewhere where their lives were potentially in danger. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
9. Since buying the land and moving on, we have had a lot of trouble and upset. I have never previously had any experience or involvement in buying land and applying for planning permission and the whole process has been extremely stressful. The High Court injunction case and threat of eviction action made my mental health worse. It also doesn't help with the fact that I cannot read and write and rely on others to explain to me what is going on.
10. The High Court case did go on for a number of years and eventually I was directed towards my current Solicitors, Community Law Partnership in January 2022. Having obtained help from Cranleigh CAB in getting a National Insurance Number, applying for Universal Credit and opening up a Bank Account, Community Law Partnership (CLP) then applied for Legal Aid for me. They represented me at the High Court and the Injunction case against me and many of the others was dismissed and the Judge did not make a final injunction against us. I would request the Inspector to read the High Court judgment which was attached to Dr Murdoch's Facts and Grounds Statement. I then asked the same Solicitors to help me apply for planning permission and they instructed my current Planning Consultant, Dr. Angus Murdoch to submit an application for planning permission. They have also applied for Legal Aid to cover the Public Inquiry and Counsel's fees under that Exceptional Cases Funding Certificate. I would not be where I am today without the support and assistance from a number of

organisations.

EDUCATION AND TRAVELLING

11. As I have travelled for most of my life, I was not in school much. That is why I cannot read and write. I have to get family members to read my letters for me. I also take my post to the local Post Office to ask them to read or to the CAB in Cranleigh. I had to get the CAB in Cranleigh to help me get a National Insurance Number and help me apply for benefits. This is the reason why I am no good with dates. If I had had a stable base and not moved around all the time with my parents, maybe I would have stayed in school longer and would be able to read and write rather than having to rely on others. My education suffered because my parents did not have a stable base. My children's education has also suffered because they also did not have a stable base whilst growing up. My children are also unable to read and write.

12. I have now been travelling in and around the Surrey area for over ten years. I have been on the roadside for most of my life apart from the very short period of time I stayed with my grandparents as outlined above.

13. As I said earlier, I have never had my own business and have always worked for others, travelling with other Travellers, carrying out various jobs including repairing machinery and looking after animals. I cannot drive myself and that is a reason why I do not have a business of my own. I go travelling with other Travellers. I used to go travelling with other Travellers for work. However, during COVID this all went extremely bad for me. The work dried up during COVID and other Travellers could not keep me on as they barely had enough work for themselves. [REDACTED]

[REDACTED] I felt like a failure because I could not provide my family with a home and a stable income. I can't seem to get out of the circle I am in at the moment. I feel as though I have let my children down by not being able to provide them with a home. [REDACTED]

[REDACTED]. I want to work and be a good role model for my children but I seem to be stuck in an extremely bad situation at the

moment and can't seem to get myself out of it as the worry of being evicted from our home is really taking its toll on my mental health.

14. Due to my limited income, I wasn't in a position to buy a Mobile Home until late last year. Me, Theresa and the kids were all squashed up in a small touring caravan when we all knew we needed something bigger for us. The Mobile Home I now have on the land came to me as a bargain. The Traveller I bought it off was going away travelling to a different Country and wanted to get rid of his Mobile Home because he could not take it with him. The touring caravan I had was part exchanged with the Mobile Home we are now living in. Me, Theresa and Barney are in the Mobile Home and my daughter Rose is in the touring caravan.
15. Due to our limited income, Theresa wasn't able to buy a car for herself either. I cannot drive so I would not have a car but Theresa can and she hasn't had a car for a very long time. I am not very good with dates so I can't say when she last had a car but it has been a very long time. She would have to rely on family members to take her shopping [REDACTED]. It is now only recently that we have been able to get a car for her.

ALTERNATIVE ACCOMMODATION

16. I have checked with the owners and occupiers of the sites at Lydia Park/Stovolds Hill and can find no available pitch, either for sale or for rent and I cannot afford to buy another piece of land anywhere else. We have no other savings or funds to buy land elsewhere and there is no space at Lydia Park for us to go to. I know that the Council have said we could move to Lydia Park, but I have spoken to the owners and they have nothing available. They have given me letters confirming this and these letters can be found at **Appendix BD2**.
17. We have nowhere else to go. All of our savings have been used to buy and develop this piece of land and to pay for the first solicitor we instructed for the High Court Injunction case. Any other money we have been able to save since the High Court case has been used as part exchange for the Mobile Home and Theresa's car.

18. I cannot go back to the site in Leatherhead [REDACTED]

19. [REDACTED]

20. I do not believe that moving into bricks and mortar accommodation is going to be beneficial for Barney or to any other member of our family. I cannot live in bricks and mortar myself and I know for certain that my wife and the kids would also find it impossible to move into bricks and mortar accommodation as this is just not our way of life. Rose needs to be in a secure stable home where we can keep an eye on her all the time. Living on a roadside encampment would not be beneficial to her because we would be worried that she may run out of the caravan at any time. At least here on site we have our own pitch and have all of our family members surrounding us. She feels safe and secure on this site. Barney also has no sense of danger and is classed as a vulnerable adult.

21. I understand that the Council are relying on Intentional Unauthorised Development.

This has been explained to me by my solicitor. I had no other option but to move onto the land and develop it for our residential use. We had nowhere else to go, there were no other suitable alternatives available for me and my family. There was an interim injunction on the land but we were desperate as we had no alternative. Me and Theresa risked imprisonment by living on the land. If there was an alternative, we would have gone there.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

LOCAL CONNECTION

30. My Solicitor has gone through the Statement of Case submitted by the Council and I note that the Council believe that me and the family do not live here on the site. I categorically deny this and confirm that me and my family have been living here. We have nowhere else to go. We have laid down local connections to this area. We go to the local Church in Cranleigh. It is the Jesus Christ Redeemer of Mankind, Cranleigh Church. The Vicar, Reverend Simmons has known us for many years now. We attend Mass regularly and he has drafted a letter dated 26 January 2026 confirming that we continue to be part of the worshipping community and that we attend Mass regularly. This letter from the Vicar and letters from the local shops we use can all be found at **Appendix BD7**.

31. There is a note from the shop at 62 High Street, a note from the Village Grill where we get our takeaways from, a note from Cranleigh Food and Wine Store, a note from the BP Petrol Station on Horsham Road. Also within that same appendix is an e-mail from Brian who works at the Citizens Advice Bureau in Cranleigh. Brian confirms his

interactions with me and how I have been visiting the CAB for assistance and that my correspondence regarding Benefits and housing is sent to the CAB in Cranleigh.

32. I do not know whether the Council have knocked on the caravan door every time they attended the site or whether they just looked at the pitch and thought no one was in. I have explained that I had very little money to buy the mobile home we now have and were all cramped into the one touring caravan. Over the last few years, we have had a couple of different touring caravans and the white trailer type container you can see in the photographs was where we had our shower, toilet and washing facilities. This trailer type enclosure was plumbed into the cess pit I have on my pitch. When we got the mobile home, we put the washing machine into the mobile home but as it was making too much noise for Barney. This has now been moved into the shed which is on the pitch.
33. I have already explained that me and my wife did not have a vehicle as I do not drive and we could not afford one for her so that is why you can't see vehicles parked on the pitch in the photographs provided.
34. Just because you can't see many things on the pitch does not mean we were not living there.
35. Our family are Catholics and we do go away to many pilgrimages every year. We would go away for many days at a time with other members of our family and other Travellers. Sometimes with the travelling there and back we could be gone for a week or more. That is another reason why I don't like leaving things out on the site, even with Barney's small trampoline I tend to fold it away when he is not using it and put it back in the caravan. At **Appendix BD8** are screenshots of the addresses of the Churches we go to during the course of the year. They are all over the country. Plus, within that exhibit is also a photo of Barney's small trampoline which we fold up and put away. Initially the trampoline used to be out all the time and over the years I have had to buy so many trampolines because they have been damaged by other children and in the bad weather and so now, I have this trampoline and always fold it up and put it away after Barney has used it. We take that trampoline with us wherever we go because wherever we park up we can take it out, leave it on the tarmac and let Barney have his exercise.

36. Mr Bennett from the Council was out on site and knocked on the mobile home door and Lizzy answered it. She was there with the kids but I was out. She did ask Mr Bennett whether he wanted me to come back and he said that he was there just taking some photographs. I believe this was on 2 February 2026. He was there with another Officer taking photographs.
37. I would sincerely request that planning permission is granted for me and my family to live here as we have nowhere else to go. If I did have somewhere else to live, I would not be putting myself through all this heartache and distress in fighting the court case at the High Court and then going down this route of this Planning Appeal. It has been extremely difficult in trying to get all the paperwork together for this Appeal because it has taken months to try to get medical reports from the GPs and remember dates in relation to the Injunction matter. I am not very good with dates at all.
38. If I am granted planning permission, my family would help me meet the conditions financially. My family have agreed to fund the landscaping, ecology and flooding conditions and my planning consultant, Dr Murdoch has offered to do the Discharge of Conditions application free of charge as there is no legal aid available for that.
39. I have been asked whether there were any badger setts on the land before it was developed. I can categorically say that there weren't any on the land.
40. At **Appendix BD9** is a copy of the Land Registry paperwork sent to me by my solicitor who is dealing with the registering the land into my name.

6 February 2026