

Landscape Statement

For

**Land off B5101, Southsea, Wrexham
(Appeal by Mr. A. Cash)**

Prepared By



Ref: TDA/1935/RhC/07.16

July 2016

CONTENTS:

	Page
Introduction	2
Design Objectives	3-5

INTRODUCTION:

Following the refusal of planning application no. BRO P/2015/0773 Tirlun Design Associates have been appointed by Mr. A Cash to produce revised landscape mitigation and enhancement measures for his site off the B5101, Southsea, Wrexham.

Although a landscape scheme was produced in July 2014 for the previous appeal at this site (APP/H6955/C/13/2210461), the amended proposals have been carefully designed to complement the current development and incorporate additional landscape features.

The proposals have been discussed with Mr. Cash and he has agreed to the implementation of the scheme dependent upon the outcome of the appeal.

The following document is to be read in conjunction with Tirlun Design Associates drawing no:

TDA/1935/03 Landscape Mitigation & Enhancement Measures

The drawing is attached at Appendix 1 of this document.

DESIGN OBJECTIVES:

Introduction

Due to the surrounding landscape characteristics the appeal site at Southsea is neither prominent nor visually intrusive within the wider landscape.

It sits below a large, well vegetated, highway embankment which provides effective screening to its eastern periphery, below an open field to the south and is defined by a tall peripheral hedgerow adjacent to the B5101 (Southsea Road) to the west.

However, the landscape mitigation and enhancement proposals are intended to improve the sites landscape setting and its bio-diversity value.

Retained Landscape Proposals

As per the original landscape scheme and in order to integrate the amended development with its immediate environment the landscape mitigation and enhancement measures include:

- Staining the existing fencing to the sites peripheries dark brown to tone down their appearance within the landscape.
- New native hedgerow planting (where possible) to the external face of the existing fence along the sites southern periphery and adjacent to the public footpath to soften the site boundary and provide a suitable interface with the fields beyond, in-keeping with the landscape character of the area.
- Introducing a native buffer plantation to further enclose the site and integrate the development into its surroundings whilst improving bio-diversity, an example of which is shown at Appendix 2.
- Retaining all existing trees on site to maintain the sites landscape structure.

Additional Landscape Proposals

In order to alleviate both current landscape objections and those identified by the inspector in the previous appeal (APP/H6955/C/13/2210461) a number of landscape measures have been incorporated into the revised scheme. These proposals which will improve the landscape structure of the site and offer bio-diversity enhancement include:

- The removal and 'gapping up' of the existing field access gate with a native buffer plantation to screen the development from the public footpath to the south of the site.
- The incorporation of 35 linear metres of new native hedgerow to define and further screen the revised development area, the extent of which has been significantly reduced from that previously proposed.
- The addition of 7 no. new heavy-standard native trees within the extended paddock area.

In addition to the above, it should be noted that the quantum of development at the site has been reduced from previously proposed and now includes the demolition of the existing permanent stable building and the incorporation of a single mobile home and 2 no. touring caravans only, all of which are temporary structures.

As a consequence and upon cessation of the use of the site, the area can be easily reinstated to a condition to be agreed with the local planning authority. Such re-instatement works could include the retention of proposed trees, peripheral hedgerows and native buffer plantations, thus improving the landscape value, structure and bio-diversity of the site in the long term.

Conditions

Should the appeal be allowed and in order to ensure that Wrexham County Borough Council (WCBC) are able to enforce the landscape proposals, the client is willing to accept stringent landscape conditions as part of any permission. Examples of such suitable conditions, to be agreed with Wrexham County Borough Council, have been included in Appendix 3.

Appendix 1

Appendix 2

**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 3

SCHEDULE OF PROPOSED CONDITIONS

1. The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of the Planning Policy for Traveller Sites.
2. Within 3 months of this decision a 'site development scheme' for the internal layout of the site including the siting of the caravans, hardstanding, parking, amenity areas, means of foul and surface water drainage, boundary treatment and landscaping (including details of species, plant sizes, proposed numbers and densities) shall be submitted for the written approval of the local planning authority prior to occupation of the site. The said scheme shall include a timetable for its implementation.
3. If within a period of three years from the date of implementing the landscaping details approved in accordance with condition 2, any trees or shrubs are removed, uprooted, destroyed or die, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.
4. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
5. No commercial activities shall take place on the land, including the storage of materials.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) (with or without modification) no other means of enclosure shall be erected other than those proposed in the approved 'site development scheme'.
7. Upon cessation of the use of the site, all caravans, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the land re-instated to a condition to be agreed with the local planning authority.

Appeal Decision

Hearing held on 14 July 2015

Site visit made on 14 July 2015

by Peter Rose BA MRTPI DMS MCMI

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

Decision date: 04/08/2015

Appeal Ref: APP/T2215/W/15/3006764

**Eebs Stables, Downs Farm, Green Street Green Road,
Dartford, Kent, DA2 6NR**

- 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 W Chambers against the decision of Dartford Borough Council.
 - The application Ref: DA/14/00489/FUL, dated 11 April 2014, was refused by notice dated 22 December 2014.
 - The development proposed is siting of a mobile home.
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Decision

1. The appeal is allowed and planning permission is granted for siting of a mobile home, and partial conversion of existing stables as a utility room, at Eebs Stables, Downs Farm, Green Street Green Road, Dartford, Kent, DA2 6NR in accordance with the terms of the application Ref: DA/14/00489/FUL, dated 11 April 2014, and subject to the conditions set out in the attached schedule.

Procedural Matters

2. The development subject to appeal is stated on the application form as not having been started. At the hearing, however, the appellant confirmed the mobile home was now in place and that he was resident. Both the main parties agreed that the application should now be considered under section 73A of the Town and Country Planning Act, 1990, as development carried out prior to the date of the application. It was also agreed that the description of the development be amended to be consistent with that set out in the appeal form by including reference to partial conversion of the existing stables as a utility room. Whilst the development was not technically carried out prior to the date of the application but prior to the date of the appeal, I do not consider that any interests would be prejudiced by these modifications and I consider the appeal on that basis.
3. The application which is the subject of the appeal is for full planning permission but the appellant confirmed at the hearing that, should a full permission be found to be unacceptable, possibilities for a temporary and/or personal permission should be considered.
4. Gypsies and travellers are defined in the government's Planning Policy for Traveller Sites document (the PPTS) as persons of a nomadic habit of life whatever their race or origin. The Council does not dispute the gypsy status of

the appellant and other proposed occupants, and I am satisfied from the information before me that all of the proposed residents would fall within this definition.

Main Issues

5. The main issues are:

- (a) whether the proposed development would constitute inappropriate development in the Green Belt with regard to the development plan and national planning policy;
- (b) the effect of the proposed development upon the openness of the Green Belt;
- (c) the effect of the proposed development upon the rural landscape;
- (d) the significance of other material considerations which need to be weighed as part of the planning balance, including the need for, and provision of, accommodation for gypsies and travellers within the area, and the accommodation needs, rights and other personal circumstances of the appellant and his family;
- (e) if inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the scheme.

Reasons

Whether inappropriate development

- 6. The appeal site comprises relatively open land served by a private access road from Green Street Green Road/Trolling Down Hill. The access road serves a pattern of fairly sporadic development either side, which includes dwellings and other buildings. The site occupies relatively higher land than the predominantly more open land to the south and lies on the northern side of the Green Belt. The site has a lawful use for equestrian purposes, and includes a large, relatively new stable building to the south. The proposal introduces a mixed use for equestrian/residential purposes.
- 7. The National Planning Policy Framework (the Framework) seeks to safeguard the Green Belt from inappropriate development, including urban sprawl, and does not identify a material change of use as an exception to inappropriate development. Policy E of the PPTS further states that traveller sites in the Green Belt, whether temporary or permanent, are inappropriate development. Policy CS 13 of the Council's Dartford Core Strategy Adopted September 2011 (the Core Strategy) pre-dates the Framework and refers to the now superseded PPG2. Nonetheless, it seeks to protect the openness of the Green Belt by resisting inappropriate development and also needs to be afforded weight in accordance with the advice of paragraph 215 of the Framework.
- 8. I therefore conclude that the proposed change of use of the site, including the siting of a mobile home and partial conversion of the existing stables to residential use, is inappropriate development in the Green Belt contrary to the Framework, the PPTS and Policy CS 13 of the Core Strategy.

Openness of the Green Belt

9. The Framework defines one of the essential characteristics of the Green Belt to be its openness, and its purposes include safeguarding the countryside from encroachment. There is no definition of openness in the Framework but, in the context of the Green Belt, it is generally held to refer to freedom from development, or the absence of development.
10. The mobile home takes the form of a static caravan, is an integral part of the change of use, and occupies otherwise open land. Its presence thereby contributes to a loss of openness of the Green Belt. Notwithstanding the existence of the larger authorised stable building to the south, the mobile home is a substantial feature which causes material harm to the Green Belt by occupying a significant area of otherwise open land.
11. I therefore find that the proposal, by virtue of the mobile home, results in a harmful reduction in openness. Accordingly, the development is contrary to the Framework and contrary to Policies CS 13 and CS 20 of the Core Strategy which seek to protect the openness of the Green Belt.

Rural landscape

12. The Framework identifies one of the core principles of the planning system as recognising the intrinsic character and beauty of the countryside. Policy H of the PPTS advises that new gypsy and traveller development should be strictly limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. Nevertheless, the PPTS does not preclude development of gypsy and traveller accommodation in the countryside as a matter of principle, and the appeal site forms part of an existing pattern of development along the access road.
13. The Framework also advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and I note the site has no formal designation as such in the development plan.
14. The site comprises previously developed land and forms part of a wider area identified in Kent County Council's Landscape Assessment of Kent, 2004 as a landscape in very poor condition, and where the sensitivity of the area is considered to be low. The Landscape Assessment does, however, indicate the importance of defining the boundaries between the urban edge and open farmland.
15. The mobile home is sited towards the northern end of the site and is already significantly screened in less immediate views from the south, east and west by the existing stable building. The scheme also includes the benefit of proposed planting around much of the site boundary which would also partly screen the existing stables.
16. Policy H of the PPTS advises that weight should be attached to well-planned or soft-landscaped sites that positively enhance the environment and increase its openness, but that they should not be enclosed to such a degree that a site could be seen as deliberately isolated from the rest of the community. There is also a risk that undue enclosure would undermine the value of the appeal site as an open element of a wider open setting and thereby appear incongruous with that important and distinctive character.

17. Whilst the impact of the mobile home itself upon the landscape would be significantly mitigated by the stable building and, to a lesser degree, by the proposed planting, the nature of a residential use is such as to introduce a range of domestic paraphernalia into otherwise open areas of the site. I am mindful that equestrian use might also introduce other structures and incidental features, and I acknowledge the appellant's suggestion of the possible presence of a large horsebox as a fallback position. In the same way that the Council seeks to justify the permission granted for the stables, I consider such equestrian features would be more in-keeping with the expected open rural character of the setting and less characteristic of urban sprawl. The appellant also identified the possibility of conditions to preclude paraphernalia within more exposed parts of the site, but I am unconvinced that approach would be reasonable or enforceable given the potentially complex character of the resulting composite use.
18. Although I accept the appeal site has very limited public exposure in wider views, it is still a relatively open site in its immediate setting, it occupies a relatively exposed position set below the ground level of the adjacent access road, and forms a continuation of the rolling open topography to the south.
19. I therefore find that, by reason of the presence of the caravan and attendant domestic paraphernalia, the proposal is harmful to the rural landscape. Accordingly, the development is contrary to Policies C1 and C2 of the Borough of Dartford Local Plan Adopted April 1995 (the Local Plan) and to Policy CS 20 of the Core Strategy. These seek, amongst other matters, to assess proposals with reference to their impact upon the rural landscape. Whilst the scheme includes proposals for landscaping and screening, the policies also seek to ensure developments are sensitively designed and sited.

The need for, and provision of, accommodation for gypsies within the area

20. Policy B of the PPTS requires local planning authorities, in preparing local plans, to set targets which address the likely permanent and transit site accommodation needs of gypsies and travellers in their area. Local planning authorities are encouraged to identify and update annually a supply of specific deliverable sites sufficient to provide 5-years' worth of sites against their locally set targets, whilst protecting local amenity and the environment.
21. The Council's strategic assessment is set out in its Dartford Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (October 2013). On this basis, the Council considers it has a 5-year requirement for 15 pitches. The Council advises that a permanent planning permission was granted in July 2013 for some 16 pitches at Knoxfield, Darenth Wood Road. The Council indicated at the hearing that it probably has a current modest shortfall of one pitch in its 5-year supply.
22. Nevertheless, a number of concerns have been raised by the appellant regarding the robustness and accuracy of the Council's assessment, and the appellant points out that the document has not been examined in public as part of a formal development plan process. The appellant has questioned the timing and extent of underlying survey work. Needs arising from unauthorised development in the Borough and from a site at Claywood Lane appear not to be reflected. The appellant also questions the status of the current permission for Knoxfield, and the likelihood of sites of being identified outside the Green Belt.

Notwithstanding such concerns, I also note that, more generally, the assessment is well over a year old contrary to the expectations of the PPTS.

23. The Council stated that discussions regarding Knoxfield were on-going and that its development is considered to be deliverable. It also indicated future possibilities for development outside the Green Belt. Nevertheless, no sites are formally allocated for gypsy and traveller development as part of the development plan.
24. I also note the Council's commitment in Policy CS 20 of its Core Strategy to explore and identify further sites for development, and similarly in its emerging Development Policies Document attached at Appendix 1 to its evidence. I further note that various informal site-specific discussions were on-going.
25. The appellant suggests that the Council's assessment reflects a minimalist approach which under-estimates need and over-states supply. I accept there may well be a reasonable prospect of development of land at Knoxfield but, from the evidence before me, I cannot be satisfied that the Council's assessment presents to me a sufficiently reliable, up-to-date basis to reasonably conclude that the Borough has sufficient land available for development to meet its needs for gypsy and traveller sites over the next 5-year period.

The accommodation needs and personal circumstances of the appellant and his family

26. Dismissal of this appeal would be likely to contribute towards the appellant and his family's possible eviction from the site, thus interfering with their home and private and family life. In particular, it could result in the loss of their home with no satisfactory alternative. The apparent lack of available alternative accommodation makes such interference more serious. Evidence has been provided that neither Knoxfield nor previous accommodation owned by the appellant's former mother-in-law are currently available to the appellant and, in the absence of other available sites, I acknowledge the possibility of a roadside existence. The appellant has also indicated that significant effort had been given to identifying alternative land on his behalf but this has been unsuccessful.
27. Even so, I am unable to necessarily rule out longer term possibilities regarding Knoxfield or other sites from the evidence before me. I also note the appellant's children are adults, and recognise that other possibilities may become available for their future accommodation as their immediate adult lives unfold.
28. I have particular regard to the health of the appellant, to the undoubted benefits of having a stable home, to the difficulties arising in connection with their previously shared accommodation, and to the cultural aversion of the family to a bricks and mortar existence.

Other Matters

29. I have considered all other matters raised, including reference to various other planning decisions and appeals.
30. I have particular regard to a planning permission granted by the Council in 2012 for the erection of a detached triple garage/garden store nearby at

Downs Farm House, Trolling Down Hill, Green Street Green Road, Dartford (Council Ref: 12/01265/FUL) which is also in the Green Belt. I observed at my visit the relatively large scale of the development and that it is described in the Council's report of the application as not detracting from the character and openness of the Green Belt. Whilst the full planning circumstances of that decision are not before me, I have some difficulty appreciating the conclusion reached by the Council in that regard.

31. Nevertheless, and notwithstanding the importance of fairness and consistency in decision-making, I do not find that decision or its accompanying development would mitigate the harm arising from this appeal proposal should it be allowed, and nor does justify the further harm to the Green Belt which would follow.
32. I have noted representations made by interested parties, both in support and in objection. Concerns are raised regarding various possible implications, including traffic and matters related to previous use of a nearby site in connection with asbestos. No objections are raised by the Council towards the other matters raised, and I have little reason to disagree.
33. The suggestion is also made that a planning permission could represent a precedent for further development, but each proposal must be considered on its own particular merits and in the context of its specific circumstances.

Overall Planning Balance

34. The Framework requires me to consider whether there may be other considerations which might clearly outweigh any harm arising to the Green Belt by reason of inappropriateness, and any other harm, and whether they might amount to the very special circumstances necessary to justify the proposal in the Green Belt.
35. Policy H of the PPTS requires applications for gypsy sites to be assessed in accordance with the presumption in favour of sustainable development and with regard to the application of specific policies in the Framework and the PPTS. It identifies a range of relevant matters to be considered, including the existing level of local provision and need for sites, the availability of alternative accommodation, the personal circumstances of the applicant, and locally specific criteria used to guide the allocation and assessment of sites.
36. Within this overall policy context, the specific harm arising from the development must be weighed against the identified benefits. Further, any interference with the rights of the appellant and his family must be proportionate and balanced against the wider public interest in pursuing the legitimate aims of the development plan and of national planning policy.
37. A number of factors weigh in favour of the development. I give significant weight to the accommodation the needs of the appellant and his children, and to their rights under Article 8 of the First Protocol to the European Convention on Human Rights, as incorporated by the Human Rights Act 1998. I also have significant regard to the duty under section 149 of the Equality Act 2010 to eliminate discrimination, and to advance equality of opportunity for persons with a protected characteristic. This duty would apply to the appellant and his family who are English Romany gypsies, and I also have due regard to the health of the appellant.

38. No sustainability assessment has been submitted as part of the application, but I note the Council's confirmation at the hearing that the site was considered to be a moderately sustainable location in housing terms, given its relative proximity to local services. I agree with that assessment, and note its relevance to the presumption in favour of sustainable development set in the Framework
39. I consider there is a shortfall of available land to meet Dartford's future needs for gypsy and traveller development, and that the appeal site would make an important immediate contribution towards meeting both the general unmet need of the Borough, and the particular need of the appellant and his children. Lack of available sites, and lack of available sites outside the Green Belt, are matters to which I attach significant weight. I consider that the shortage of sites in this instance may also indicate inequality of housing opportunity for gypsies and travellers in the Borough and thereby have further implications for my decision arising from the Equality Act.
40. A Written Ministerial Statement by the Local Government Minister dated 17 January 2014 underlines that both temporary and permanent traveller sites are inappropriate development in the Green Belt. The importance to be attached to the Green Belt is such that it further states that unmet need, whether for traveller sites or conventional housing, is unlikely to outweigh harm to the Green Belt and other harm to constitute the very special circumstances justifying inappropriate development in the Green Belt. Similar advice is set out in the government's Planning Practice Guidance (the Guidance), and the great importance to be attached to safeguarding the Green Belt is also expressed in a further Ministerial Statement dated 25 March 2015.
41. The appellant refers to the site as lying on the harsh northern edge of the Green Belt, but the fact is it does form part the Green Belt and contributes accordingly, it does form part of a pleasant open setting, and is physically separated from built development to the north.
42. In accordance with paragraph 88 of the Framework, substantial weight needs to be attached in my decision to the harm which arises from inappropriate development in the Green Belt, from loss of openness, and from the impact upon the rural landscape.
43. I have regard to the suggestion that any future development of gypsy and traveller sites in Dartford is likely to be in the Green Belt and that, in relative terms, the degree of harm arising in this instance would be likely to be less than at other sites. That assertion remains to be tested but, in any case, the development subject to this appeal would still incur serious harm as described and I consider that harm to be disproportionate to the other considerations in favour of the development.
44. Dismissing this appeal or granting a time-limited permission would interfere with the appellant's rights under Article 8, and the concept of proportionality is crucial, but interference would be in accordance with the law and in pursuance of a well-established and legitimate public aim of protecting the Green Belt.
45. In summary, I find that the other considerations presented by the appellant, taken together, generally add considerable weight in favour of the scheme. Nonetheless, I find the status of the application site as Green Belt land, and the

subsequent harm to the Green Belt which would arise from this development, to be the overriding, determining factors of my decision.

46. Very special circumstances therefore do not exist to justify the proposal on a permanent basis at this point in time.

Possible temporary and/or personal permission

47. I have given careful regard to relevant advice set out in the Framework, in the PPTS and in the Guidance. I particularly note the advice of the PPTS that the absence of an up-to-date 5-year supply of deliverable sites is a significant material consideration of a temporary planning permission.
48. In my assessment, the balance of the arguments changes when temporary permission is considered as, whilst the harm to the Green Belt and to the rural landscape would remain, it would be incurred for a limited period of time.
49. The appellant suggests a 5-year period would be necessary for a temporary permission to allow for sites to be identified and come forward for development, whilst the Council considers at most 2 years to be appropriate.
50. I consider a period of 3 years is likely to allow the Council to complete its assessment of other possible sites and for opportunities to be pursued, and for appropriate efforts to be made by the appellant to avoid homelessness.
51. I find that when all the other material considerations are added together, they would clearly outweigh the short-term, temporary harm arising from a 3-year permission. Very special circumstances justifying the grant of a temporary, 3-year permission personal to the circumstances of the appellant therefore exist.

Conditions

52. I have considered the conditions suggested by the Council and the appellant's response. In doing so, I have had regard to the advice set out in both the Guidance, and in the Framework, in terms of both the need for individual conditions and of appropriate wording.
53. For the avoidance of doubt and in the interests of proper planning, a condition is imposed to ensure the development is undertaken in accordance with the relevant drawings. As the scheme is only acceptable on the basis of the particular details submitted, a condition is necessary to limit the number and type of caravans. The scheme is also only acceptable on the personal and temporary basis indicated. A condition is also necessary to ensure appropriate reinstatement of the land at the conclusion of the temporary use.
54. To ensure a satisfactory standard of external appearance to the site, to protect the environment of nearby residents and to protect the countryside, conditions are imposed to preclude commercial use, and to limit vehicle size. To further safeguard the environment of the site and of neighbouring occupiers, conditions require details to be agreed of the proposed foul and surface water drainage, of arrangements for refuse, and of external lighting.
55. Given the temporary duration of the permission, and the relatively limited screening of the mobile home, as distinct from the wider site, which would arise from the proposed planting, I do not consider conditions to be necessary or reasonable relating to landscaping. The limited duration of the permission

also means that further details of the parking and amenity areas as suggested by the Council for a full planning permission are not reasonably required.

56. Whilst the scheme is only acceptable with reference to the PPTS as a contribution to the general accommodation needs of gypsies and travellers, the permission is personal to the appellant and his family as acknowledged gypsies. Accordingly, it is not necessary to impose a condition to further restrict occupation to persons defined as gypsies and travellers by Annex 1 of the PPTS.

Conclusion

57. My overall conclusion, therefore, is that whilst a permanent permission is not appropriate, there are other considerations weighing in favour of the development that, when taken together, justify a temporary 3-year personal planning permission.
58. The protection of the public interest cannot be achieved by means that are less interfering of the appellant's and his family's rights. Such interference is proportionate and necessary in the circumstances and hence would not result in a violation of their rights under Article 8, and would be consistent with the expectations of the Equality Act, 2010.
59. At the heart of the Framework is a presumption in favour of sustainable development. For decision-making, this includes approving proposals that accord with the development plan and with Framework policy. In light of the overall planning balance, I find the scheme would only be acceptable on the temporary and personal basis identified.
60. For the above reasons, the appeal is allowed on the terms described.

Peter Rose
INSPECTOR

SCHEDULE OF CONDITIONS

1. The use hereby permitted shall be carried on only by Mr W Chambers and his resident dependants, and shall be for a limited period being the period of 3 years from the date of this decision, or the period during which the premises are occupied by them, whichever is the shorter.
2. When the site ceases to be occupied by those named in Condition 1 above, or at the end of 3 years, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, 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. The site shall only be developed in accordance with the details set out in the following approved plans: SLP/01, WC/504/414/01 dated April 2014; WC/504/414/02; WC/504414/03; Floor Plan; and Elevations.
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 28 days 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 details of: the means of foul and surface water drainage of the site; facilities for the storage and collection of refuse and waste; and details of any external lighting, shall have been submitted for the written approval of the local planning authority and the said details shall include a timetable for their implementation;
 - ii) within 11 months of the date of this decision the details to be submitted in i) shall have been approved by the local planning authority or, if the local planning authority refuse to approve the details, 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 details shall have been approved by the Secretary of State;
 - iv) the approved details shall have been carried out and completed in accordance with the approved timetable.
5. No more than two caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the land at any one time, of which no more than one shall be a static caravan or mobile home.
6. No commercial activities shall take place on the land, including the storage of materials.
7. No vehicles over 3.5 tonnes, other than in connection with the pre-existing equestrian use of the site, shall be stationed, stored or parked on the site.

APPEARANCES

FOR THE APPELLANT:

William Chambers	Appellant
Keli Chambers	Former wife of appellant
Tim Jones	Counsel
Dr Simon Ruston	Ruston Planning Ltd
Rhodri Crandon	Tirlun Design Associates Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Nick Lloyd-Davies	Senior Planner
Tania Smith	Planning Policy Officer

DOCUMENTS SUBMITTED AT THE HEARING

1. Green Belt Local Plan extract (map)
2. Dartford Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (October 2013)
3. Council report of application 12/01265/FUL dated 30 November 2012 relating to the erection of a detached triple garage/garden store at Downs Farm House, Trolling Down Hill, Green Street Green Road, Dartford