

**APPEAL BY MR LARRY CONNORS
AGAINST THE REFUSAL OF PLANNING PERMISSION BY
NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**Use of land for residential caravan site for 8 gypsy families including
hardstanding and existing lights (development already carried out).**

**LAND TO THE WEST OF PULMORE WATER CARAVAN PARK, ST ALBANS ROAD,
CODICOTE. HERTFORDSHIRE, SG4 8SP**

**LPA REF: 25/00979/FP
OUR REF: 25/LC/PULMORE WATER**

**STATEMENT OF CASE PREPARED ON BEHALF OF THE APPELLANT BY
PHILIP BROWN BA (Hons) Urban and Regional Planning**

1.0 INTRODUCTION

- 1.1 This Statement of Case has been prepared by Philip Brown. I hold a Bachelor of Arts degree with honours in the subject of Urban and Regional Planning. I have more than 40 years' experience of planning matters in local government and private practice.
- 1.2 I am Managing Director of Philip Brown Associates Limited, and specialise in assisting Gypsies and Travellers to obtain planning permission for caravan sites and related development. We are the country's foremost planning consultancy acting on behalf of Gypsies and Travellers, with 30 years' experience of working in this field. I frequently appear at planning hearings and inquiries to give expert evidence on planning matters. We have obtained planning permission for well over 350 caravan sites, throughout England and Wales, mainly on appeal.
- 1.3 This statement is divided into five parts: firstly I describe the site and its surroundings; secondly I give a resume of relevant planning policies; thirdly I summarise the planning history of the appeal site; fourthly I set out the case on behalf of the appellant; and, finally I list the documents that will be relied upon (as far as they are known at this stage).

2.0 SITE DESCRIPTION

- 2.1 The appeal site comprises about 0.35 hectare of land located along the western side of St Albans Road, Codicote. The site adjoins the western boundary of Pulmore Water Caravan Park which lies between the appeal site and St Albans Road.
- 2.2 The appeal site is bounded by a quarry to the north, open fields to the west, existing caravan to the east and, residential curtilage to the south. It is enclosed by conifer hedging other than along its boundary with the authorised caravan site.
- 2.3 Access to the appeal site is from St Albans Road, through Pulmore Water Caravan Park. St Albans Road is a narrow country lane with no footpaths or street lighting. It leads northwards into Codicote and, south-westwards to Wheathamstead. The appeal site is less than 1 km by road from the edge of Codicote and, about 1.4 kms from the village centre.

3.0 PLANNING POLICY

Local Planning Policies

3.1 The North Hertfordshire Local Plan 2011-2031 was adopted on Tuesday 8 November 2022. Local Plan Policy SP2 sets out the settlement hierarchy and spatial distribution of development. Codicote is one of 5 villages earmarked to accommodate 13% of new housing in the District. Policy SP5: Countryside and Green Belt states that the Council: *“will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated”*.

3.2 Local Plan Policy HS7: Gypsies, Travellers and Travelling Showpeople sets out the Council’s locally specific criteria for the determination of applications for new traveller sites.

“a) Planning permission for accommodation for Gypsies and Travellers or Travelling Showpeople will be granted where:

b) it satisfies a demonstrated local need for accommodation;

c) the intended occupants meet the planning definition of Gypsies and Travellers, or Travelling Showpeople, as set out in government guidance or case law;

d) residents of the proposed site can access local services such as shops, schools, public transport and medical facilities within a reasonable distance from the site and where those facilities have capacity to meet the needs of the site’s residents;

e) the proposed site:

- i. does not conflict with any other development plan policy or national policy including flood risk, agricultural land classification, contamination and hazardous development, and has no significant adverse impact on the character and appearance of the countryside, or on features of significant biodiversity or heritage importance;*

- ii. *has no significant adverse impact on the amenity of nearby residents or adjoining land users and can be successfully screened and contained within a specified boundary;*
- iii. *has adequate and safe access from a suitable road, and adequate parking, storage, turning and servicing on site;*
- iv. *is capable of being serviced with water, electricity, sewerage and rubbish disposal; and*
- v. *will provide a safe, inclusive and secure environment for the residents in an appropriate location to meet their needs.”*

Government Planning Policies

3.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development and states in paragraph 11d): *“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:*

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed;*
- or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”.*

3.4 Footnote ⁸ explains that development plan policies are out-of-date for applications involving the provision of housing, in situations where: the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the

delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

3.5 Paragraph 63 states that: *“Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable*

housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers²⁷; people who rent their homes and people wishing to commission or build their own homes.”

3.6 Footnote ²⁷ makes clear that Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.

3.7 Paragraph 143 of the NPPF sets out the five purposes of including land within Green Belt as being:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.8 Paragraph 148 states that: *“Where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations”*. In this context Grey Belt is defined in the Glossary as: *“land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to*

any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

3.9 Footnote ⁷ states that: *"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote ⁷⁵); and areas at risk of flooding or coastal change."*

3.10 Paragraph 153 sets out the presumption against inappropriate development. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Paragraph 153 is qualified by footnote ⁵⁵ which makes clear that it applies other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.

3.11 Paragraph 155 provides that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed⁵⁶;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

3.12 Footnote ⁵⁶: “Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years; and in the case of traveller sites means the lack of a five year supply of deliverable traveller sites assessed in line with Planning Policy for Traveller sites”.

3.13 Footnote ⁵⁷: “In the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites paragraph 13”.

3.14 Paragraph 110, referred to in paragraph 155(c), states amongst other things: *“opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”*.

3.15 Paragraph 16 of PPTS reiterates that inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development **unless** [my emphasis] the exceptions set out in Chapter 13 of the National Planning Policy Framework apply.

3.16 Paragraph 18 makes clear that the “Golden Rules”, set out in chapter 13 of the National Planning Policy Framework, do not apply to traveller sites. Paragraph 28 states that: if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply.

4.0 PLANNING HISTORY

- 4.1 On 20th September 2011 NHDC issued an enforcement notice in respect of a material change of use of land at Pulmer Water relating to a mixed use as a residential mobile home and caravan site and the storage of vehicles, machinery and equipment including associated works such as hard surfacing, enclosures, containers, external lighting and other services. An appeal against the enforcement notice was submitted. On 8th March 2012 an appeal decision was issued granting a temporary planning permission for 5 years. The five-year temporary permission expired on 8 March 2017.
- 4.2 Planning permission was granted on 25 February 2021, under application No. 18/00794/FP, for *“Change of Use of land to use as a residential caravan site for 8 gypsy families including retention of hardstanding and existing lights”*. Permission was granted for a temporary period expiring on 31 October 2022.
- 4.3 Planning application No. 25/00979/FP was validated on 28 April 2025. The proposed development involves the change of use of land to use as a residential caravan site for 8 Gypsy/Traveller families, each with one static caravan/mobile home, together with the laying of hardstanding (retrospective). Essentially, the proposal is for retention of a development which began in 2012 and, has been occupied as a residential caravan site ever since.
- 4.4 Planning permission was refused on 10 July 2025 for the following reasons:
- 1. The application site is within an area designated in the North Hertfordshire Local Plan as Green Belt, within which there is a presumption against inappropriate development, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority, the development does not fully comply with the exemption*

criteria set out under paragraphs 154 and 155 of the NPPF. Furthermore, the development results in a materially greater impact on openness and would conflict with one of the five purposes of the Green Belt. As such, in the opinion of the Local Planning Authority, the harm to the Green Belt

by reason of inappropriateness, as well as to openness and the purposes of the Green Belt, is not clearly outweighed by other material considerations and as a result, very special circumstances have not been demonstrated. As such, the development does not accord with the provisions of Policy SP5 of the North Hertfordshire Local Plan 2011 - 2031 or with the provisions of Section 13 of the NPPF

2. By reason of its location within the Green Belt, remoteness from local services and the lack of need for this type of residential accommodation as evidenced by the Council's Gypsy and Traveller Accommodation Assessment (2024) the development is considered to be contrary to the provisions of Policy HS7 of the North Herts Local Plan 2011 - 2031.

5.0 CASE ON BEHALF OF THE APPELLANT

Preliminary Matters

- 5.1 The National Planning Policy Framework (NPPF) puts the presumption In favour of sustainable development at the heart of both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development plan without delay; or, if the policies which are most important for determining the application are out-of-date, granting planning permission unless, *inter alia*, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- 5.2 In the latter regard, the appeal site is not located within a SPA, SSSI, Conservation Area, Local Green Space, AONB or, National Park. Furthermore, the proposed caravan site is not located within an area shown on the Environment Agency's flood maps as being at high risk from flooding. The appeal site is located within an area designated as Green Belt.

Need for Traveller Sites

- 5.3 The Council's Gypsy and Traveller Accommodation Assessment (GTAA) was published in June 2024, has not been subject to public scrutiny, and was also prepared at a time when the definition of Gypsy/Traveller was more restrictive than it is today following revision of PPTS in December 2024.
- 5.4 Notwithstanding this, the GTAA found a need for the provision of 9 permanent pitches during the period 2024 – 2038 of which, 5 are required

to be provided within the first five years. As far as the Council's planning application records show, I cannot find any record of permanent pitches having been approved since the beginning of the assessment period and, therefore, not only is there an identified need but also, the Council is unable to demonstrate a five-year supply of deliverable land for traveller sites. A copy of the GTAA is attached at **Appendix PBA 1**.

- 5.5 Local Plan Policy CD6 - Land at Woodside Place, Danesbury Park Road is allocated for the provision of 4 permanent Gypsy and Traveller pitches but, temporary planning permission for 2 pitches on this site expired in 2022 and is now unauthorised. Though allocated, this site is not available now and, even if it were, it would not provide a five-year supply of specific deliverable land.

Sustainable Development

- 5.6 The absence of a five-year supply means that the development plan policies relevant to determination of this appeal must be considered to be out-of-date and, paragraph 11d of the NPPF is engaged by which planning permission should be granted unless any adverse impacts significantly and demonstrably outweigh the benefits, i.e. the tilted balance must be applied.

Green Belt

- 5.7 Furthermore, paragraph 155 of the NPPF is engaged, whereby, the proposals should not be regarded as inappropriate within the Green Belt provided that, amongst other things the development will take place on previously developed land or "Grey Belt", i.e. land that does not contribute towards checking the unrestricted sprawl of large built-up areas; preventing neighbouring towns merging into one another; and, preserving the setting and special character of historic towns.
- 5.8 In this case, the site is not previously developed, as defined, but this does not matter, because "Grey Belt" can include greenfield sites.

Development

of the appeal site would not result in the sprawl of a large built-up area; erode the gap between neighbouring towns; or, affect the setting or special character of a historic town.

5.9 The site does not fall within any of the designations referred to in footnote

7 of the NPPF, except Green Belt. Furthermore, given the size of the site, it

cannot be said to contribute strongly to the purposes of including land in Green Belt when taken as a whole. As such, the site constitutes Grey Belt and, criterion a. of paragraph 155 of the NPPF is satisfied.

5.10 The absence of a five-year supply means that criterion b is satisfied and, criterion d is not relevant in the case of traveller sites. The final criterion (criterion c) concerns sustainability, having particular regard to paragraph 13 of PPTS (Footnote ⁵⁷ of the NPPF).

Sustainability

5.11 Paragraph 4 of the NPPF requires that the Framework should be read in conjunction with the Government's planning policy for traveller sites. Policy C of PPTS makes clear that some sites will be in rural areas and the countryside. This advice is qualified by Policy H (paragraph 26) which states that sites should be very strictly limited in the open countryside **away from** existing settlements. The term "*away from*" infers a significant degree of detachment, such that the site may be considered to be isolated.

5.12 PPTS does not define what is meant by "*settlement*" and, there is no suggestion that the expression should be limited to designated settlements or, that they should contain services. Paragraph 26 continues with "*Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure*". PPTS recognises, therefore, that traveller sites that are not within, or contiguous with, the nearest, undefined, settled community are not unacceptable in principle.

5.13 The term "*away from*" is, similarly, undefined but, infers a significant degree of detachment, such that the site may be considered to be isolated. I attach two appeal decisions at **Appendices PBA 2** and

PBA 3, which demonstrate how other Inspectors have approached the issue of whether, or not, sites can be considered to be away from settlements for the purposes of PPTS. In the appeal decision attached at **Appendix PBA 2** the Inspector made clear that a site located 800 metres from the closest settlement, was not away from existing settlements for the purposes of Policy H of PPTS, notwithstanding that the settlement of Bings Heath was no more than a hamlet of 11 houses and, did not contain any community services or facilities. It was 2 miles (3.2 kilometres) from the closest service centre of Shawbury and, 4 miles (6.4 kilometres) from Shrewsbury. The Inspector

observed that: *“such a degree of reliance [on private transport] is not that uncommon in a mainly rural area ...and the distances involved are not excessive by rural standards”*. The Inspector considered that Shrewsbury was only *“a short car journey away”* and, in terms of location, he took the view that: *“the site is not totally isolated from nearby settlements for the kind and scale of the development”*.

- 5.14 In the appeal decision attached at **Appendix PBA 3**, the Inspector accepted that, because of the dispersed pattern of settlement, a site 1.6 kilometres from the village core (Smallwood contains a primary school and church but, no shop) was not *“away from”* settlements for the purposes of PPTS, despite its reliance on the use of private motor vehicles to access the wider range of services available in Sandbach more than 4 kms away. The term *“away from”* can, therefore, involve distances of 0.8 – 1.6 kilometres, depending on the particular circumstances.
- 5.15 Pulmore Water is only about half-a-mile outside Codicote for access to community services and facilities, and under 3kms by road from the centre of Welwyn. There is a primary school, post office/store, public house, pharmacy, church and village hall in Codicote. There are GP surgeries and a hospital in Welwyn. Even if primarily reliant on the private motor vehicle to access community services and facilities, trips would be relatively short in length and duration.
- 5.16 Notwithstanding this, paragraph 110 of the NPPF recognises that different policies and measures will be required in different communities and, opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Paragraph 110 generally seeks to direct developments that generate significant movement to locations where the

need to travel will be minimised and the use of sustainable transport modes can be maximised. PPTS recognises that gypsy sites can be appropriately located in rural or semi-rural areas and a development of 8 caravan pitches would not generate significant movement, i.e. requiring submission of a Transport Statement or Transport Assessment (para. 118 of the NPPF). As such, the proposed development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (para. 116).

5.17 Furthermore, the NPPF and PPTS require a consideration of the effects of development on a broader basis than simply in relation to transport. That is true of all developments – but particularly sites for gypsies because they have a travelling way of life by definition and this must be factored into the planning assessment.

5.18 In wider sustainability terms, PPTS makes no mention of distances to services or modes of travel when assessing the sustainability of gypsy sites. PPTS expects local planning authorities to ensure that gypsy sites are sustainable economically, socially and environmentally – by promoting access to appropriate health services, and ensuring that children may attend school regularly. “Access” in this sense is related to the fact that gypsies may only have the right to register with a GP or obtain education if they have a settled base.

5.19 In an appeal regarding Willows Park, Slapton (**APP/J0405/C/13/2193582**), Aylesbury District Council’s principle objection was that the site lay in such a location that the development would result in unsustainable travel. The Inspector examines distance to services and modes of transport in paragraphs 50-52 of her decision but, goes on to consider sustainability in its wider sense. In paragraph 53, the Inspector makes clear that the NPPF and PPTS require a consideration of the effects of development on a broader basis than simply in relation to transport. *“That is true of all developments – but particularly sites for gypsies, because they have a travelling way of life by definition and this must be factored into the planning assessment.”*

5.20 The Inspector examines the wider sustainability benefits in paragraphs 54-

57, and concludes, in paragraph 60, that the development (for an extra 5 residential pitches) is not unacceptably unsustainable, despite her finding that the site residents would be reliant on the private motor car for access to a range of local services in Leighton Buzzard, 5 kilometres away. A copy of the Inspector's decision is attached at **Appendix PBA 4**. In this case, the application site is considerably closer to local community services and facilities available in Codicote and Welwyn.

5.21 The Council's second reason for refusal is misconceived and fails to take into account up-to-date Government policies. The site is a reasonably sustainable location for a traveller site, having "*particular regard*" to

paragraph 13 of PPTS and, therefore, criterion c of paragraph 155 is satisfied. As such, the proposed development would fully comply with paragraph 155 and, is not inappropriate in the Green Belt.

Locally Specific Criteria

5.22 Policy HS7: Gypsies, Travellers and Travelling Showpeople sets out the Council's locally specific criteria for the determination of applications for new traveller sites.

"a) Planning permission for accommodation for Gypsies and Travellers or Travelling Showpeople will be granted where:

b) it satisfies a demonstrated local need for accommodation;

c) the intended occupants meet the planning definition of Gypsies and Travellers, or Travelling Showpeople, as set out in government guidance or case law;

d) residents of the proposed site can access local services such as shops, schools, public transport and medical facilities within a reasonable distance from the site and where those facilities have capacity to meet the needs of the site's residents;

e) the proposed site:

i. does not conflict with any other development plan policy or national policy including flood risk, agricultural land

classification, contamination and hazardous development, and has no significant adverse impact on the character and appearance of the countryside, or on features of significant biodiversity or heritage importance;

- ii. has no significant adverse impact on the amenity of nearby residents or adjoining land users and can be successfully screened and contained within a specified boundary;*
- iii. has adequate and safe access from a suitable road, and adequate parking, storage, turning and servicing on site;*
- iv. is capable of being serviced with water, electricity, sewerage and rubbish disposal; and*
- v. will provide a safe, inclusive and secure environment for the residents in an appropriate location to meet their needs.”*

5.23 All of these criteria are satisfied by the proposed development. Criteria b. and d. have already been addressed and, criterion c can be addressed through the imposition of a planning condition. The development would not adversely affect the amenity of nearby residents (criterion e(ii)). It is already provided with safe access (criterion e(iii)), is already serviced with mains water and electricity etc (criterion e(iv)), and would provide a satisfactory living environment (criterion e(v)).

5.24 The site is well screened from public vantage points and is not prominently located or obtrusive in the landscape. The proposed development would not have a significant adverse effect on the character or appearance of the countryside. The proposed development would therefore comply with all of the Council’s locally specific criteria and, because appropriate in the Green Belt, planning permission should be granted in accordance with the presumption in favour of sustainable development.

Appropriate Development

5.25 The appeal site satisfies all of the relevant criteria set out in paragraph 155

of the NPPF and, therefore, the proposed development is not inappropriate in the Green Belt. As such, loss of openness is not a relevant consideration and, there is no onus on the appellant to prove that very special circumstances exist. Furthermore, if it is accepted that the Council cannot demonstrate a five-year supply of deliverable land for traveller sites, the tilted balance must be applied by which planning permission should be granted if the adverse impacts do not significantly and demonstrably outweigh the benefits. This sets a high bar for refusal.

It

is not enough for there to be some harm or negative effects, or for a scheme to be less than ideal.

5.26 It has been established in case law that: *“Whatever entered the "tilted balance" needed to do so to the extent that it "significantly and demonstrably" outweighed the benefits of the proposed development. Merely to find "harm" or "material harm" or, for that matter, that the development would be out of keeping with the established character would be to apply the wrong test, or at least is not demonstrably consistent with the application of the correct test”* [Green Lane Chertsey (Developments) Limited v SSHCLG [2019] EWHC 990 (Admin)].

5.27 I attach a recent appeal decision (**Appendix PBA 5**) in which the Inspector found that not even a poor noise environment was sufficient, in that case, to significantly and demonstrably outweigh the benefits of the scheme for 12 pitches on Grey Belt land.

5.28 In this case, the only adverse impacts alleged by the Council fall away if the development is found not to be inappropriate in the Green Belt and, if the appeal site is found to be a sustainable location for a traveller site.

Personal Circumstances

5.29 The appeal site will accommodate the following members of the appellant’s extended family currently living on Pulmore Water:

1. Jackser Connors (son of appellant)
2. Miles Connors (uncle of appellant)

3. Margaret Connors (sister of appellant)
4. Kathleen Connors (sister)
5. John Connors (cousin)
6. Jackson Connors (nephew)
7. Archie Connors (nephew)
8. Jackser Connors (nephew)

5.30 The site would provide a settled base from which all residents can access health facilities, schools and community facilities such as places of worship.

5.31 The familial relationship between occupiers of the site also provides the opportunity for a high degree of mutual support which is essential to the gypsy and traveller way of life. A settled base means they can access benefits to which they are entitled which were not available to them if they are living on the roadside.

5.32 Allowing the appeal would enable the occupiers of the site to access education, health facilities and other community support in the same way as the settled population: advancing equality of opportunity. Also the proximity to community facilities such as schools, churches and village halls provides opportunities for integration and fostering good relations between gypsies and travellers and the settled community.

Balance of Considerations

5.33 The development provides appropriate living conditions for the occupiers of the site in terms of noise and air quality, and the Council has not raised any objection in terms of highway safety. In my opinion, the site performs well against the criteria in policy HS7 of the Local Plan against which proposals for gypsy and traveller sites fall to be considered and the appeal scheme does not constitute inappropriate development in the Green Belt.

5.34 The Council cannot demonstrate an up-to-date five-year supply of deliverable sites for gypsies and travellers. In these circumstances the PPTS states that the provisions of paragraph 11(d) of the Framework apply. In this case, where the development does not constitute inappropriate development in the Green Belt, harm to the Green Belt does not provide a strong reason for refusing the development. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.35 The Framework supports the delivery of a sufficient supply of homes, including for travellers and the PPTS seeks to increase the number of

traveller sites in appropriate locations to address under provision and to enable travellers to access education, health, welfare and employment infrastructure. The development provides 8 additional pitches which would contribute towards an identified need, and it would provide a settled base from which residents could access education, health services and community facilities.

5.36 I do not consider, in this case, that there are any adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework and the PPTS taken as a whole. As a result, the presumption in favour of sustainable development applies and, planning permission should be granted without delay.

6.0 LIST OF APPENDICES

Appendix PBA 1 – North Hertfordshire GTAA - 2024

Appendix PBA 2 – Appeal decision – Shawbury, Shropshire

Appendix PBA 3 – Appeal decision – Smallwood, Cheshire

Appendix PBA 4 - Appeal decision – Willows Park, Slapton, Bucks.

Appendix PBA 5 – Appeal decision – Henley Road, Norton Lindsey