



# The Planning Inspectorate

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APPENDIX

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Elly Hammond

Maidstone Borough Council

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ME15 6JQ

Your Ref:

MA/03/2366

Our Ref:

APP/U2235/A/08/2071739

Date:

31st July 2001

P.R. Correspondence?
PREF:

- 3 AUG 2009 Init'l

CHO. DE). E

DRAWER

Dear Elly Hammond

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR JIM BAKER
SITE AT QUARTER PADDOCK, BLETCHENDEN ROAD, HEADCORN, KENT
TN27 9JB
CORRECTION NOTICE

Following a request from the appellant's representative Alison T Heine, I am enclosing a copy of the corrected appeal decision, in pursuance of Section 56(2) of the Planning and Compulsory Purchase Act 2004 as amended.

This decision corrects that issued on 23 March by substituting the wording;

The occupation of the site hereby permitted shall be carried on only by the following and their resident dependants: Obie Harber (born 12 January 1974 and his wife Kathleen, George Harber Snr (born 7 October 1947) and his wife Ellen Harber (born 10 January 1948), George Harber Jnr (born 3 August 1968) and his wife Priscilla Harber (born 13 April 1967), Ellen Harber (born 9 July 1966) and James Baker (born 10 October 1969).

for the wording of condition 2 as given in the schedule of conditions on pages 10-11 of the decision issued on 23 March. Please accept my apologies for any confusion that may have resulted from the omission of Mr Baker's details from condition 2 in the decision issued on 23 March.

If you are receiving this revised decision by post, a separate leaflet is enclosed setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court. If you are receiving this communication via email, that leaflet, and a further leaflet about the Inspectorate's complaints procedures, can be obtained via our website at:

www.planninginspectorate.gov.uk/pins/agency\_info/complaints/complaints\_dealing.htm

Yours sincerely

David Bourton Quality Assurance Unit





# **Appeal Decision**

Inquiry held on 4 February 2009 Site visit made on 5 February 2009

by Phillip J G Ware BSc DipTP MRTPI

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

The Planning Inspectorate.
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Decision date:
31 July 2009

# Appeal Ref: APP/U2235/A/08/2071739 Quarter Paddock, Bletchenden Road, Headcorn, Kent TN27 9JB

- 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 Jim Baker against the decision of Maidstone Borough Council.
- The application Ref MA/03/2366, dated 11 October 2003, was refused by notice dated 16 February 2004.
- The development proposed is the change of use to residential and the stationing of three mobile homes and two touring caravans for an extended gypsy family.
- This decision supersedes that issued on 14 September 2004 (insofar as it related to the section 78 appeal). That decision on the appeal was quashed by order of the High Court.
- This decision also supersedes that issued on 20 September 2006. That decision on the appeal was quashed by order of the High Court.

### **Procedural matters**

- 1. The description of the development set out above is taken from the original application form, submitted in 2003, and relates to the development refused planning permission in early 2004. The development has occurred and the proposal is thus for the continuation of the change of use.
- 2. However, with the passage of time the occupation of the site has changed, and the site has been effectively divided into four plots. At the time of my visit, there were five mobile homes (one of which I was told was only being stored at the site) and four touring caravans (two of which appeared to be located outside the appeal site). There were also a range of dayrooms and other incidental structures.
- 3. It may be that local people are aware of the changes in the occupation of the site, and clearly the Council at officer level appreciates the position. That said, local residents have not been consulted about the current occupation, and the Council has not formally considered the changed position. I am concerned that if I were to consider the appeal as relating to anything other than the development which was originally applied for, the position of local residents and/or the Council could be prejudiced. I shall therefore consider the appeal as relating to the development described above.
- 4. For the avoidance of doubt, that description does not include the large areas of hardstanding on the site which have been constructed between the public road and the mobile homes and other structures.

5. This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 and supersedes that issued on 23 March 2009.

## Decision

6. I allow the appeal, and grant planning permission for the change of use to residential and the stationing of three mobile homes and two touring caravans for an extended gypsy family at Quarter Paddock, Bletchenden Road, Headcorn, Kent TN27 9JB in accordance with the terms of the application, Ref MA/03/2366, dated 11 October 2003, and the plans submitted with it, subject to the conditions set out in the Schedule at the end of this decision.

# Background and main issues

- 7. At the first Inquiry into this matter, two enforcement appeals were linked to the planning appeal. Subject to certain statutory provisions and variations the enforcement notices were upheld. Those enforcement appeal decisions were not challenged in the High Court and continue to have effect.
- 8. The Council originally refused planning permission for four reasons. Two of these related to the effect of the proposal on the surrounding area, and whether there are reasons to justify an exception to the policies of countryside restraint. These matters are still in dispute (although one of the relevant policies quoted in the reason for refusal has not been saved).
- 9. One of the other reasons for refusal related to flood risk. However, after the Council's decision and just before the first Inquiry, the Environment Agency indicated that their objection had been addressed by evidence on flood risk. The objection was withdrawn subject to the imposition of a condition. This reason for refusal is no longer contested.
- 10. The final reason for refusal related to the alleged lack of evidence that the site would be occupied by gypsies as then defined. However, the Council now accepts the gypsy status of the appellant¹ and did not contest this reason for refusal in relation to any of the current occupiers of the site.
- 11. Given this background the main issues in this case are:
  - The effect of the proposal on the character and appearance of the countryside
  - Whether any harm arising from the above issue is outweighed by the need for accommodation to meet the needs of gypsies, and/or by the personal circumstances of the appellant and other occupiers of the site.

# Reasons

# Policy context

12. The parties agreed that the development plan includes the Kent and Medway Structure Plan (2006) (SP) and the saved policies of the Maidstone Borough Wide Local Plan (2000) (LP). In particular, SP policies EN1 and EN3 deal with the protection of the countryside. The appeal site is within the Low Weald Special Landscape Area (SLA), which is given additional protection by SP policy

<sup>&</sup>lt;sup>1</sup> Statement of Common Ground



EN5. The SP also includes a policy (HP9) dealing with the provision of permanent and transit gypsy accommodation. At the local level, LP policies ENV28 and ENV34 deal with the protection of the countryside and with SLAs respectively.

- 13. LP policy H36 formerly dealt with gypsy sites. It was extant at the time of the last Inquiry, but has not been saved and is no longer relevant.
- 14. The Council has begun preparation of its Local Development Framework (LDF), but it was agreed by the parties that there are no emerging policies which have reached a stage to be relevant to this appeal. It is of consequence that the Council has resolved (October 2008) to prepare a freestanding Development Plan Document (DPD) on gypsy and traveller matters in advance of the production of its Core Strategy. Adoption of this DPD is timetabled within 35 months (i.e. nearly 3 years) of the date of the resolution.

# The effect on the character and appearance of the countryside

- 15. The appeal site is located around 1.5km south of the edge of Headcorn, a large village which is agreed to have a good selection of local facilities. Bletchenden Road is a narrow country road leading off the A274. At the junction with the A274 are bus stops and a mobile home park.
- 16. The site has a frontage of around 102 metres, and a depth of some 50 metres. There is a central access road, off which access to the individual plots is gained. There is a field to the rear, outside the appeal site but shown as being in the appellant's ownership on the application plan, which is used for grazing. It also included two touring caravans at the time of my visit.
- 17. The site itself is between a plant nursery to the east at the front of which a mobile home has recently been placed (with planning permission granted in 2008) and an open field to the west. This field (which was agreed by the parties to be outside the control of anyone on the appeal site) contains a number of containers and sheds which currently appear disused. The parties advised that this field had been more intensively used for containers and similar storage in the past. Beyond that field is a dwelling.
- 18. The area generally is open countryside, with some sporadic frontage development, characterised by small fields enclosed by deciduous hedgerows and trees. Prior to the occupation of the site for its current use, I understand the land was undeveloped.
- 19. The general policy approach at the national, county and local level is that the quality and character of the countryside should be protected for its own sake. Development that does not need a rural location, except as otherwise provided for under other policies, is to be resisted. An element of additional policy protection is provided by the fact that the site is within the Low Weald SLA, within which particular attention should be given to the protection and conservation of the scenic quality and distinctive character of the area. In LP policy terms, priority should be given to the landscape over other planning considerations, although this approach is not reflected in national policy.
- 20. The proposal would introduce a series of elements onto the site which are alien to a rural landscape. Caravans and mobile homes, ancillary buildings and

domestic paraphernalia would clearly be out of place in this rural context. I am conscious that I am dealing with the scheme as applied for rather than the development currently on the site, but inspection of the site as it now exists further illustrates the alien nature of this type of development in a rural area. The appellant has accepted that the development is harmful to the character and appearance of the countryside, and that there is accordingly a policy conflict.

- 21. I have taken account of the presence of the approved mobile home which has been placed comparatively close to the road on the adjacent nursery land. This development, unrelated to the occupiers of the site, has increased the sense of sporadic development in the area. I do not consider that it lends particular support to the appeal proposal, but rather that is a neutral factor, as it could be argued to support the case of either party.
- 22. Hedgerow planting has been undertaken along the fence which divides the appeal site from the field to the rear, along the western boundary of the site, between the site and the nursery to the east, and around/behind the gateway. Some of this was undertaken before the last Inquiry, and some has been planted subsequently.
- 23. Views of the site are now largely from the site entrance together with more distant views through hedgerow gaps further down the lane. The appellant stated that additional planting could be undertaken and that this could still be done even in the context of a limited period permission. Despite the planting around the entrance which has been undertaken I consider it would be necessary to require additional planting in this area in the event that planning permission was granted, as this is where the visual intrusion would be the greatest.
- 24. Circular 01/2006 makes it clear that local landscape designations should not be used in themselves to refuse planning permission for gypsy sites. Despite the appellant's argument, I regard the SLA as being this type of local designation although it apparently extends beyond this local authority area. In any event, I have considered the potential harm to the area arising from the development, rather than treating the designation, in itself, as being a reason for objecting to the proposal. The accepted harm to the character and appearance of the area must be weighed against other material considerations. I will undertake this exercise below.
- 25. Despite the fact that the greatest impact on the rural area is from the entrance to the site, and notwithstanding the potential for additional planting in this location, I have no doubt that the proposal would be seriously harmful to the rural character and appearance of the area, including the SLA. It would therefore conflict with the countryside protection policies summarised above.

### The general need for gypsy sites

26. As mentioned above, the Council no longer contests the issue of gypsy status. I am satisfied that the appellant and occupiers of the site fall within the definition of gypsies and travellers at para. 15 of Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites. I shall therefore apply national and local policy regarding gypsy sites.



- 27. The Council accepts that there is a continuing need for more gypsy and traveller sites in the Borough, and that there is a regional need for more sites across all parts of Kent. I agree with that assessment, which is based on a number of factors.
- 28. The Gypsy and Traveller Accommodation Assessment (GTAA) (2005/6) is part of the evidence base for the LDF, and the Council accepted that this gives a clear gives indication of need. It was suggested by the appellant that the GTAA has underestimated the real position but, even as it stands, it indicates a substantial level of need.
- 29. In addition, the Partial Review of the South East Plan, being undertaken by the South East of England Regional Assembly, has shown a draft requirement of 32 48 pitches to 2016 in the Borough. The emerging preferred option (D) for the distribution of sites across the region shows a requirement for 35 net additional permanent pitches within the Borough by 2016.
- 30. To this evidence of need must be added the latest available gypsy count (July 2008) which shows 74 caravans sites in the Borough without planning permission. The number of caravans on socially provided sites has also seen a steady increase, although I was told that no additional pitches have been provided on these sites and it appears that there may be some overcrowding. Similarly the number of caravans on authorised private sites has risen. From the evidence before me, it also appears that there is a steady rise in the level of unauthorised encampments.
- 31. To seek to meet this agreed urgent need, the Council has apparently investigated enlarging its socially provided sites at Stilebridge and Ulcombe. However it was confirmed at the Inquiry that these efforts have not progressed.
- 32. In the absence of any extension of its existing sites or any proposed new sites, the Council is looking to the emerging DPD on gypsy and traveller matters to identify suitable locations. It was accepted by the parties that SP policy H9 will be an important element in the preparation of the DPD, and it is for that process to consider the suitability and availability of sites, and to consider how they perform against the locational approach of the policy. This will not occur for some years although, as set out above, the freestanding Gypsy/Traveller DPD will be produced in advance of the Core Strategy and I was advised that the work on this DPD has been contracted to Kent County Council.
- 33. However there was no agreement as to the way in which SP policy H9, which essentially sets out a sequential approach to site provision, might apply to the current appeal. The appellant maintains that the policy sets a broad strategic approach and that it is not incumbent on the appellant to demonstrate how the appeal site complies with the sequential approach. However the Council considers that the policy is applicable to the proposal and that the site fails to perform well against the sequential approach, as it is not within or close to a settlement, main urban area or rural service centre (Headcorn being the nearest such centre). The authority maintains that it is most unlikely that the site will fall within a preferred location in the emerging DPD.
- 34. SP policy H9 is contained in a recently adopted part of the development plan, and accordingly must be given the weight accorded by S38(6) of the Act. In

addition, it was adopted after the publication of Circular 01/2006, although a comparison of the draft and final versions of the SP suggest that only limited alterations may have been made as a result of the emergence of the Circular. Although it is clearly intended to set out a strategic approach, I consider it also has relevance to individual proposals, especially in cases where there is no relevant LP or DPD policy.

- 35. In this case, given the distance to Headcorn, I have some sympathy with the Council's position that the site fails to perform well against the sequential approach. In addition the site is not ideally located to reduce the use of the private car although this is not, in my view, a significant objection in its own right. These matters remains to be assessed in detail in the context of the emerging DPD. Similarly, the alleged tension between the locational approach of SP policy H9 and national policy in Circular 01/2006 will doubtless be considered in the context of the DPD.
- 36. Overall, it is clear that there is an agreed urgent need for the provision of additional gypsy sites within the Borough, and it is unlikely that the identified need will be fully met in advance of the expected provision via the DPD. Appeal decisions elsewhere, most particularly at Headcorn<sup>2</sup>, Staplehurst<sup>3</sup> and Linton<sup>4</sup>, although locationally different from this appeal, tend to support the need for sites and the lack of availability. This general need and the lack of availability weighs in favour of the current proposal.

# The appellants/occupiers need for accommodation & their personal circumstances

- 37. The current occupation of the site is as set out in the Statement of Common Ground (SOCG). In addition the SOCG summarises the medical position of the occupants. A separate update on the educational position of the resident children was presented to the Inquiry<sup>5</sup>.
- 38. The occupiers' need for accommodation was not disputed by the Council. In addition the authority confirmed that it had no suitable alternative sites to offer, nor any specific suggestions as to avenues which could be explored. This was particularly in the light of the amount of the Borough which is covered by special landscape designations or by Green Belt.
- 39. The medical position of the occupiers of the site was summarised in the SOCG, was given in the appellant's written and verbal evidence, and was not contested by the Council. In particular, it appears that the needs of Mr George Harber Snr (who has had a triple heart bypass operation) and Obie Harber Inrare particularly acute. Obie Harber suffers from Alport's Syndrome. The implications of this include the need for rapid access to diagnosis and treatment of infection, supplies of fresh clean water, ready access to good toilet and washing facilities, and hygienic living conditions.
- 40. It is clearly of benefit to all those resident on the site to have access to stable medical care when needed. In particular they would benefit from settled

<sup>&</sup>lt;sup>2</sup> 1181803

<sup>&</sup>lt;sup>3</sup> 2075195

<sup>4 2077029</sup> 

<sup>&</sup>lt;sup>5</sup> Doc 8



access to primary health care and a lifestyle that allows them to communicate with and attend specialist treatment at hospital when necessary. That would be disrupted if they had to leave the site, especially in the absence of any suitable lawful alternative accommodation. It is also a benefit that being located together allows some additional support from the extended family.

- 41. In addition, especially in the case of Obie Harber, there are some members of the group with particular health problems to which I attach weight. Although these health issues do not necessarily require location on this particular site, or even in this vicinity, I give considerable weight to the need for stability given the range and severity of health problems of some members of the group.
- 42. Turning to educational matters, there are currently three children from the site at school, three receiving home tuition, and one hoping to start college later this year. Again, there is no evidence that these educational needs require location on this particular site or in this area but, in the absence of any alternative location, the education of the children would undoubtedly suffer if they had to leave the site. Many gypsy children fail to re-establish regular attendance once removed from school when their family moves on, and I attach some additional weight to the educational circumstances of those on the site.
- 43. I am also mindful of the local ties and support which has been demonstrated in the submitted letters. Whilst this is a material consideration, I do not accord it any great weight in itself, as local support might well be forthcoming in other locations.
- 44. Overall, it is agreed that there are no authorised sites available to the appellant and the residents of the site within Maidstone Borough. I have seen no evidence which persuades me that prospects in Kent as a whole would be better. In addition to the personal implications of having to move from the site, it was agreed that the wider social cost of unauthorised encampments should be considered, especially in the light of the findings of the Commission for Racial Equality that unauthorised encampments were the most common cause of tension between communities. I accord these factors substantial weight in the overall balance of this case.

# Balancing exercise

- 45. I will deal first with the possible grant of permanent planning permission.
- 46. I have found that, notwithstanding the potential for additional planting, the proposal would seriously harm the rural character and appearance of the area, including the SLA. Against that harm I have balanced the agreed general need for gypsy sites and the lack of availability of such sites, together with the personal situation of the occupiers of the site.
- 47. I have also carefully considered the fact that, if a planning permission of some sort is not granted, the residents of the site would in all likelihood have to vacate without any certainty of another lawful site being available. This would clearly be an interference with their home, private and family life within the terms of Article 8 of the European Convention on Human Rights (ECHR). However these are qualified rights which have to be balanced against the wider public interest. For the reasons given above, I have found that the grant of

- permanent permission would be seriously harmful to the character and appearance of the area.
- 48. I have taken account of the impact that that the refusal of planning permission and the likely consequential roadside existence would have on the appellants' Article 8 rights. However I do not find these matters, taken together, to be sufficient to persuade me that permanent planning permission should be granted. I find that the harm to the character and appearance of the area which would be caused by the grant of a permanent planning permission is not outweighed by the need for accommodation to meet the needs of gypsies, nor by the personal circumstances of the appellant and other occupiers of the site, nor by these factors taken together. I consider that the refusal of permanent planning permission is a necessary and proportionate response in the circumstances and hence would not represent a violation of the occupants' rights under Art 8 of the ECHR.
- 49. I am aware that this conclusion is different to that reached by previous Inspectors considering this case. However much has changed even since the more recent Inquiry. In particular the development plan has changed with the adoption of the SP and the loss of LP policy H36. Circular 01/2006 has been published (although this was dealt with by written representations after the close of the last Inquiry) and its implications have been more widely discussed and appreciated. In particular, the Council has resolved on its course of action related to the freestanding DPD on gypsy and traveller matters.
- 50. Turning to the possibility of a limited period planning permission, similar considerations apply, except that the duration of the harm to the area would be limited. This is an important consideration. Although the application was for full planning permission, it was indicated that a limited period planning permission would be acceptable in the context of the advice in Circular 01/2006 related to the grant of temporary permissions. The Circular deals with situations where there is an unmet need and no available site provision but where, at the end of a period, there is a reasonable expectation that sites will become available through the DPD process. The Circular advises that in such cases consideration should be given to the grant of a temporary permission, and that substantial weight should be given to the unmet need.
- 51. In this case, there is an agreed unmet urgent need, and no evidence of available site provision. There is also a reasonable expectation that, with the future production of the DPD, sites will become available within a foreseeable period. Under these circumstances, I consider that a limited period planning permission is reasonable as the temporary harm to the character and appearance of the area would be outweighed by the need for accommodation to meet the needs of gypsies, and by the personal circumstances of the appellant and other occupiers of the site. In terms of the Art 8 rights of the site occupants, and the degree of interference to those rights arising from a refusal of planning permission, I consider that a decision to grant a temporary planning permission is necessary and proportionate in the circumstances. I discuss the duration of such a permission below.

# Conditions

- 52. In view of the considerations which have led to my decision, it is clearly necessary to limit the planning permission to occupation by gypsies and, more specifically, to the individual occupiers of the site whose personal circumstances have been a material consideration.
- 53. The duration of the limited period was discussed at the Inquiry. Given the Council's intention to produce a freestanding DPD in three years, that is the start point for my consideration of the duration of the permission. However, in order to allow for any slippage, and to allow allocated sites to actually become available, I consider a limited period of four years is reasonable.
- 54. In the interests of the area, commercial activities and lighting should be controlled.
- 55. It was agreed at the Inquiry that various matters should be the subject of a site development scheme. These include drainage works, the layout of the site, and further landscaping. I agree that this is necessary, in the interests of the appearance of the site and in relation to the provision of adequate drainage. I have slightly modified that condition in the interests of clarity and to accord with the version published by the Planning Inspectorate.

## Conclusion

56. For the reasons given above I conclude that the appeal should be allowed, and planning permission granted for a temporary period, subject to the conditions set out in the Schedule below.

P. J. G. Ware

Inspector

# Schedule of conditions for Appeal Ref: APP/U2235/A/08/2071739 Quarter Paddock, Bletchenden Road, Headcorn, Kent TN27 9JB

- 1) The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 15 of Circular 01/2006.
- The occupation of the site hereby permitted shall be carried on only by the following and their resident dependants: Obie Harber (born 12 January 1974 and his wife Kathleen, George Harber Snr (born 7 October 1947) and his wife Ellen Harber (born 10 January 1948), George Harber Jnr (born 3 August 1968) and his wife Priscilla Harber (born 13 April 1967), Ellen Harber (born 9 July 1966) and James Baker (born 10 October 1969).
- The use hereby permitted shall be for a limited period being the period of 4 years from the date of this decision. At the end of this period, or when the site ceases to be occupied by those named in condition 2 above whichever shall first occur, the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use, including any amenity blocks, shall be removed. Within 2 months of that time the land shall be restored to its condition before the development took place.
- 4) No more than 5 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 3 shall be static caravans or mobile homes) shall be stationed on the site at any time.
- 5) No commercial activities shall take place on the land, including the storage of materials.
- 6) No floodlighting of column lighting shall be installed and no more than one external light source shall be affixed to any mobile home.
- 7) The use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use, including any amenity blocks, shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) to (v) below:
  - i. within 2 months of the date of this decision a scheme for:
    - the drainage of the site including provision for maintenance of the drainage ditch to the southern boundary and the timescale within which such scheme should be implemented;
    - the internal layout of the site, including the siting of caravans, plots, hardstanding, access roads, parking and amenity areas;
    - tree, hedge and shrub planting, including details of species, plant sizes and proposed numbers and densities together with a programme of maintenance and provisions for the replacement of dead and damaged species if necessary;

 the restoration of the site to its condition before the development took place (or as otherwise agreed in writing by the local planning authority) at the end of the period for which planning permission is granted for the use, or the site is occupied by those permitted to do so

(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority. The said scheme shall include a timetable for its implementation.

- ii. within 11 months of the date of this decision the site development scheme shall have been approved by the local planning authority or, if the local planning authority refuse to approve the 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 approved scheme shall have been carried out and completed in accordance with the approved timetable.
- v: at the same time as the site development scheme is submitted to the local planning authority there shall be submitted a schedule of maintenance for a period of four years of the proposed planting beginning at the completion of the final phase of implementation as required by that condition; the schedule to make provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies or, in the opinion of the local planning authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted. The maintenance shall be carried out in accordance with the approved schedule.

# **APPEARANCES**

## FOR THE LOCAL PLANNING AUTHORITY:

Mr M Watson of Counsel

Instructed by Maidstone Borough Council

He called

Mr S Scott-Brown DipTP MRTPI

Consultant planner for the Council

FOR THE APPELLANT:

Mr S Cottle of Counsel

Instructed by Mrs A Heine

He called Mrs A Heine

BSc (Hons) MSc MRTPI

Heine Planning Consultancy

# **DOCUMENTS**

List of persons present at the Inquiry 1

Council's letter of notification and list of persons notified 2

Bundle of letters received at the Inquiry, submitted by the 3 appellant

South East of England Regional Assembly - Regional Planning 4 Committee. Report (28/1/09) on Gypsies, Travellers and Travelling Showpeople Review: Preferred Option

Homes and Communities Agency. Gypsy and Traveller Sites 5

Grant Guidance 2009/2010

Commission for Racial Equality report - Common Ground. 6 Equality, good race relations and sites for Gypsies and Irish Travellers (extract) 2006

Appeal decision (2075195) at Staplehurst 7

8 Educational situation of resident children

Appeal decision (2077029) at Linton' 9

South East of England Regional Assembly draft Options 10

#### **PLANS**

A/1 - A/2 Site plan at 1:1250, layout plan at 1:500

