

From: [REDACTED]
Subject: Closing statement, Tower Hill Appeal.
Date: 6 Jun 2024 at 08:16:31
To: Richard White richard3098white@gmail.com

1 I have taken the inspectors steer and I will make no reference to my former interactions with the LPA ,or Purchase notices or [REDACTED] The inspector can

Utilise any of the previous information supplied if he believes it to be relevant to

This appeal.

2 landscape effect. I have tried to explain this is not an ANOB, nobody can see this horsebox from a distance. It can be seen from the bridleway but nobody has objected

To it except Mr Foley. It could be moved behind cottage no 83 and would not be visible from the bridleway. This would be preferable to a hedge which would take years to grow.

3 The access and highway safety. The bridleway is a historic road until it fell into disuse in the 1950s. We intend to open up this private access and further more have applied to the modification process to have it made a council road. The access is a matter for the council to make safe not me.

4 No adjacent occupiers have objected except Mr Foley, Surely this demonstrates the suitability of the site as there are often many objectors

For a gypsy or traveller pitch. It is for this reason there is such a shortage of sites or

Possible sites.

5 Suitability of Location. Of course I accept this is a difficult site but it has been inhabited for over 300 years. [REDACTED] do not want to live on a council gypsy site,

They want to live a low impact ,sustainable lifestyle in a romantic rural location.

It will be very difficult to find a similar site if they must move on in the Autumn.

6 Availability of Pitches. The LPA accept they have failed to provide the pitches they

Are required to provide by their own Gypsy and Traveller accommodation assessment.

In the RRR report of 2022 they state on page 42 that future residential need will be partially

Satisfied by 14 family units on unauthorised developments requiring residential pitches.

They are asking for the general public to bring sites forward,I wish this site to be one.

7 [REDACTED] explained that they had been living this low impact lifestyle for about

4 years.It had taken sometime to remove themselves from the system. They live a nomadic lifestyle and take nothing from the state [REDACTED] comes from a Czech

Travelling family and she wished to follow her heart and return to that lifestyle.[REDACTED] had become disenchanted with the materialistic world and wanted to join her.

They want their children to be home educated.They want them to have their values and

To learn what is right and wrong from them.They really do need to be in the right environment to learn these skills and that is at Tower Hill.The right of the child does have to be considered.

Essential rural worker.They need to live on site to run their smallholding.

They work on our farm and neighbouring farms ,doing pruning .fruit picking And maintenance.[REDACTED] is working for an organic vegetable farm in Little Marcle.

[REDACTED] does a small amount of odd jobs in the close locality even if not strictly farming. They each work about 2 days per week for other people ,the rest of the time

Is spent educating the children and their own farming.They do not need much money to live their lifestyle.

8 Reluctantly I would accept a temporary 5 year permission ,and would be

very happy

To accept that the permission would only be for the [REDACTED] I do not want a caravan

Site or people who do not want to run a smallholding.

9 I tried to persuade the enforcement officer that the only residential feature on the smallholding was the horsebox itself, I think after looking at the photos he agreed with me. In which case the only infringement is that the interior of the horsebox has been reconstructed for living in. If it was not lived in, an agricultural horse box could be parked

On the site. This is a very minor infringement but can be escalated into a residential use

Which I must accept does not have pp, if my Purchase Notice evidence is not accepted. Mr Tansley accepted that the Polytunnel, chicken sheds, goat shed etc were

Agricultural and permitted.

10 I have sited the recent court of appeal case and Lord Justice Coulson's ruling regarding European case law and The European Court Of Human Rights. This was the

First time Czech Roma had had professional legal advice and the LPAs injunction failed.

11 regarding policies.

When being questioned Mr Tansley refuted that the horsebox was a dwelling and therefore although most of policy SD1 could not be complied with. I started to take him

Through the design features of the horse box but he reiterated it was not a dwelling.

Unfortunately his counsel clearly states at point no 8 in opening submissions.

" It has been converted for use as a dwelling and is powered by solar and gas cylinders"

When the horsebox can be considered against this policy it does comply.

██████████ spent over 6 months converting it back to a bare steel frame to incorporate insulation etc.

12 LD1 policy I have dealt with this at point 2 and believe it complies.

The inspector confirmed that he believed Mr Woodcocks decision on landscape

Referred to the massing of the house extension having a detrimental effect on the

Landscape.

13 RA4 policy .The two exceptions are rural exception .I believe that the Simpsons

Fall within this category .In paragraph 3 it clearly states planning permission may be

Granted for 3 years to assess the viability of the enterprise.

14 policy H4

The current DPD is due to expire soon or has expired.A new report was produced by

RRR consultancy in April 2022 but the LPA are still seeking private sites ,the report

Says 14 future sites will be unauthorised.My argument is that this can be one of those14 sites and therefore would not be subject to the 7 bullet points,but I will run through those points.

1 the ██████████ do not use the school,doctor or local shop. It clearly states at the end

That in rural areas where there is a need this criteria can be waived.

2 the horsebox can't be seen except from the bridleway and does not damage the environment.

3 Surprisingly no one has objected except Mr Foley who instigated this enforcement on economic grounds.This site complies.

4The live work lifestyle is exactly what the ██████████ have here.

5 Because they use no local infrastructure except the roads and footpaths they are

Putting no undue pressure on infrastructure.

6 The size of the site does not dominate settled communities nearby.

7 They are such a small scale ,one horsebox they don't need any of these facilities .

15. Mr Liethhead has produced policy SD4.

This relates to waste water contaminating the Wye Catchment area.

The [REDACTED] use their

waste Brownwater from washing to put on their crops,

They have a purpose built composting toilet.No waste water will be leaving the site,

There is no stream nearby to contaminate.I do believe this use will comply with SD4.

Finally.

From a common sense perspective what possible harm can the [REDACTED] occupying

The small horsebox to the community.They Can run the smallholding ,use the gardens ,

Old cottages as storage probably have an agricultural horsebox but the argument is that when they sleep in it ,it is residential.The problem for them is that they need to

Live on site to run the smallholding.What other use are we supposed to find for the site?

I would personally like to thank the inspector as I am aware he has gone into great

Depth to weigh up all the factors involved in this appeal.I have not been well prepared

As my legal adviser Mr Baines was taken ill less than 24 hours before the inquiry.

I am grateful for the patience shown by all concerned.

Richard White

Chandos Farm