

16th April 2025

**Development & Housing**

Council Offices  
Market Street, Newbury  
Berkshire, RG14 5LD

**Our Ref:** 23/00211/15UNAU

**Please ask for:** Planning Appeals

**Tel:** 01635 519111

**Email:** [appeals@westberks.gov.uk](mailto:appeals@westberks.gov.uk)

Dear Sir/Madam

**Appeal under Section 174 of the Town and Country Planning Act 1990**

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<b>Site address:</b>	Land Adjoining Sandhill Hampstead Norreys Road Hermitage Thatcham RG18 9XU
<b>Proposal:</b>	Appeal against an Enforcement Notice: material change of use of the Land from agriculture to use as a Gypsy and Traveller Site comprising five pitches with touring caravans, mobile welfare / storage units, skips, and dog kennels, together with the laying of hardstanding and the erection of fencing associated with the change of use of the site
<b>Enforcement reference:</b>	23/00211/15UNAU
<b>Appellant's name:</b>	Mr Randolph Teddy Black
<b>Appeal reference:</b>	APP/W0340/C/25/3363100
<b>Appeal start date:</b>	9th April 2025

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I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issue by West Berkshire District Council on **27th February 2025**.

The enforcement notice was issued for the following reasons:

*Without planning permission, the material change of use of the Land from agriculture to use as a Gypsy and Traveller Site comprising five pitches with touring caravans, mobile welfare / storage units, skips, and dog kennels, together with the laying of hardstanding and the erection of fencing associated with the change of use of the site (the "Unauthorised Development")*

1. *The Unauthorised Development took place less than 10 years before the date of this notice.*
2. *The Unauthorised Development is located in open countryside, outside of any defined settlement boundary in the development plan. According to Policy ADPP1 of the West Berkshire Core Strategy 2006-2026, only appropriate limited development in the countryside will be allowed. Policy CS7 of the Core Strategy provides criteria for gypsy and traveller pitches which must be satisfied for sites outside settlement boundary. The proposed development is contrary to policy CS7, and other policies as detailed below.*
3. *The application site lies in the North Wessex Downs National Landscape. The proposal would result in a harmful urbanising encroachment into the countryside, significantly disrupting the gentle transition between the built-up area of Hermitage and the surrounding open countryside to the north of the M4. This would harm the NWDNL and so be contrary to policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and the advice in the NPPF. Additionally, from the road and the Public Right of Way to the east, the development would be highly visible in localised views. Mobile homes, amenity rooms, and touring caravans would stand out as jarring and intrusive features, even with the presence of vegetation. This is inconsistent with policies ADDP5, CS7, CS14, and CS19 of the WBCS (2006–2026), policy TS3 of the HSADPD 2017, Policies HER2 (Design) and HER3 (Countryside views between properties) from Hermitage Neighbourhood Plan, the NPPF, and the guidance in the PPTS.*
4. *Policy CS16 seeks that on all development sites surface water will be managed in a sustainable manner through the implementation of SuDs measures. The Lead Local Flood Authority advise that there is insufficient information on how surface water will be managed. The proposal is therefore contrary to the NPPF, Policy CS16 of the West Berkshire Core Strategy (2006-2026), policy HER4 of the Hermitage Neighbourhood Development Plan 2023. and the Sustainable Drainage Systems SPD (2018).*
5. *The current forward visibility splays in both directions [north and south] are inadequate for the identified traffic speeds along the highway. In addition, there is no footway/pedestrian link to the south of the application site linking the accommodation to the village of Hermitage and its facilities. This all leads to potential conditions of road danger and a threat to highways safety, contrary to policies CS7 and CS13 of the WBCS 2006 to 2026, policy TS3 of the HSADPD 2017, the NPPF, and the advice in the PPTS.*
6. *The purpose of this Notice is the remedy of the breach of planning control and the council does not believe that there are any steps short of those stated above which would achieve that purpose*

The enforcement notice requires the following steps to be taken:

- A. *Cease the residential use of the land.*
- B. *Remove from the Land all touring caravans, welfare and storage units, skips, dog kennels and all paraphernalia associated with the residential use.*
- C. *Take the following additional actions:*

- *Disconnect any electrical supply and remove all electrical supply apparatus from the Land;*
  - *Remove from the Land all septic tanks, water tanks and associated pipework and taps;*
  - *Remove from the Land all fencing and gates that were not there originally;*
  - *Remove from the Land all hardcore and hardstanding.*
- All of which facilitate the Unauthorised Development; and*

*D. Remove from the Land all debris associated with the above steps.*

The appellant has appealed against the notice on the following grounds:

**Ground (g):** The time given to comply with the notice is too short.

The appeal will be determined on the basis of written representations. The procedure to be followed is set out in Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009, as amended.

If you wish to make comments, or modify/withdraw your previous representation(s), you must make this request to the Planning Inspectorate, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

Opirim Agala  
The Planning Inspectorate  
Room 3B Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**All representations must be received within 6 weeks of the appeal start date, by 21 May 2025.** Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. They will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeals. **All representations must quote the Inspectorate's appeal reference: APP/W0340/C/25/3363100.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

The appeal documents are available for inspection

- at the Council Offices, Market Street, Newbury. This office is open Monday to Thursday 8:30am to 5pm, and 8:30am to 4:30pm on Fridays. (<https://info.westberks.gov.uk/marketstreet>) or
- Online at <https://www.westberks.gov.uk/enforcement-appeals>

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at: <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at:  
<https://acp.planninginspectorate.gov.uk>

Yours faithfully

*Planning Appeals Team*