

# Planning Policy

## Proof of Evidence – Relevant appeal summaries

**Town and Country Planning Act 1990**

**Section 78 appeal against the refusal of planning permission**

**Witness:** Miss Cheryl Willett BSc MSc MRTPI

**Subject of Evidence:** Gypsy and Traveller Need and Supply

**Appeal:** APP/W0340/W/24/3356688 (LPA reference 23/00815/FUL)

**Site:** Land south of Sandhill, Hermitage, Thatcham

**Proposal:** Change of use of land for the formation of 5 Gypsy/Traveller pitches comprising of 1 mobile home, 1 touring caravan, and 1 utility building per pitch

**Date:** April 2025

**Council Reference:** 23/00815/FUL

## **Proof of Evidence**

Name: Cheryl Willett. Planning Policy.

Month: April 2025

Council Reference: 23/00815/FUL

Revision:

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# 1. Appeal Summaries

## Appeals in West Berkshire

- 1.1 The following three appeals, all in West Berkshire, are considered in the Council's Planning Policy Proof of Evidence. The key points to make is that in all appeal decisions the Inspectors agree there is a 5 year supply of sites, agrees with the assessed needs of the travelling community as set out in the GTAA 2021, and agrees that the need is a minimum not a maximum.

### **Land at Ermin Street, Lambourn Woodlands APP/W0340/W/22/3292939 (CD8.31)**

- 1.2 The proposal, which was allowed on appeal, was for the change of use of land for the siting of 1 mobile home and 1 touring caravan. The appeal was allowed on 17<sup>th</sup> August 2022.
- 1.3 The appeal is relevant to the current appeal at Sandhill as it was agreed there was an assessed need of 13 pitches in the 5 year period (paragraph 45), and it was assumed that the Council have a 5 year supply of pitches. The Inspector considered there had been a long-standing failure to allocate land to meet gypsy and traveller needs in the district (paragraph 49). The Inspector considered the need would be greater than that established in the two most recent GTAAs (paragraph 50). The Inspector gave significant weight to the policy failure to meet the needs of the gypsy and traveller community (paragraph 51).

### **Land at Lawrence's Lane, Thatcham APP/W0340/W/22/3292211 (CD8.32)**

- 1.4 The proposal, which was dismissed on appeal, was for the change of use to 7 no. Gypsy/Traveller pitches comprising 7 no. static caravans, 7 no. day rooms, 7 no. touring caravans, and associated works.
- 1.5 The appeal is relevant to the current appeal at Sandhill as it was agreed that there was an assessed need of 13 pitches in the 5 year period (paragraph 98), and that the Council could demonstrate a 5 year supply of pitches (paragraph 99). Following the submission of further evidence the Inspector could not agree with the Ermin Street Inspector regarding the 'persistent and woeful failure of the Council' to provide sites (paragraphs

102-104). The Inspector gave moderate weight to the general need for additional pitches (paragraph 105).

**Land approximately 150m south of Brimpton Lane and west off Blacknest Lane, Brimpton Common APP/W0340/W/24/3346878 (CD8.33)**

- 1.6 The proposal, which was dismissed on appeal, was for the change of use of the land to a residential site for occupation by Gypsies and Travellers, including the siting of 1 mobile home and 1 touring caravan plus 1 dayroom.
- 1.7 The appeal is relevant to the current appeal at Sandhill as it is made in the context of the PPTS 2024 including the expanded definition of 'Gypsy and Traveller', and of the application of the tilted balance in the event that the Council cannot demonstrate a 5 year supply of pitches.
- 1.8 The Inspector agreed that there was an assessed need of 13 pitches in the short term and 17 pitches in the long term (paragraph 85). The Inspector agrees that the pitch need is a "minimum, not a maximum" (paragraph 86). In paragraph 88 the Inspector agrees that the Council can demonstrate a 5 year supply of pitches. The Inspector counts Paices Hill in the supply (paragraph 89).
- 1.9 In paragraph 91 the Inspector agreed with the Lawrences Lane appeal about the failure of policy (i.e. that there was no failure of policy). Also in paragraph 91 the Inspector agrees that the GTAA 2021 Update is "up to date, fair and robust", as advocated by the Council in their Policy Proof.
- 1.10 The Inspector gave moderate positive weight to the provision of a pitch (paragraph 92).

**Appeal in Basingstoke and Deane**

**Land at Newbury Road, Headley, Hampshire (APP/H1705/W/20/3251951) (CD8.44)**

- 1.11 The appeal is relevant as the site is a potential alternative for some residents, as the scheme permits 4 pitches. The appeal was made by Mr Randolph Black, the appellant of the current appeal. The permission is still implementable, as permission was granted in November 2022. There are no paragraphs to direct the Inspector too, as submission of the appeal was to illustrate a potential alternative.