



BIRCHANGER PARISH COUNCIL
317 Birchanger Lane
Birchanger
Bishops Stortford
CM23 5QR

Parish Clerk: Keith Williams
Tel: 01279 814473

Peter Holt
Chief Executive
Uttlesford District Council

November 9 2022
CC: Dean Hermitage
Nigel Brown
Cllr Caton
Cllr Khan

Dear Chief Executive
Travellers Site, Birchanger Lane
Appeal Ref: APP/C1570/C/18/3219384

I write on behalf of Birchanger Parish Council with regard to the travellers site on Birchanger Lane. The Inspector's Decision Letter ('DL') of 9 October 2021, allowing the above appeal, set down the following key requirement relating to the Site Development Plan ('SDS'):

"8(ii) Within 11 months of the date of this decision, the SDS should have been approved by the local planning authority or, if the Local Planning Authority refuse to approve the SDS or fail to give a decision within the prescribed period, an appeal should have been made to and accepted as validly made by the Secretary of State."

The latest date for compliance with the above was 9 September 2022. However, this date has passed without Uttlesford District Council ('UDC') having approved the SDS and without any appeal being made to the Secretary of State.

The Inspector was clear as to the consequence of a failure to comply with 8(ii), above. The DL states as follows:

"8. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed and the land restored to its condition before the development took place within 28 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:"

The 28-days allowed as above expired on 6 October 2022. However, this date has passed without the site being vacated or the land restored to its pre-development condition. There is, therefore, a clear breach of planning control.



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Indeed, UDC have confirmed that the travellers are now in breach of planning regulations, and we had expected that enforcement action would be taken. We were astounded to be informed that instead of this the travellers have been invited to submit a retrospective planning application and given 6 weeks to do so. This option does not appear in the DL so we question UDC's right to re-interpret Condition 8. BPC can see no need or justification to question the conditions set down in the DL.

It appears that far from protecting our green belt, UDC are intent on allowing this to be eroded regardless of the following statement made by yourself in a letter to me dated 12 November 2021 "In our recent Green Belt Study, the Green Belt around Birchanger was identified as particularly important both in terms of preserving its open nature and preventing coalescence with other settlements".

Now that the travellers have been invited to make a planning application we would like an assurance that if this is not received within the 6 weeks allocated, which we understand is sometime in mid December, enforcement action will be taken immediately. Any welfare checks that you are required to make can be undertaken during the 6 weeks so that there is no delay in taking enforcement action.

I need hardly point out that the reputation of UDC, and, in particular, that of Planning and Enforcement, is being further eroded by this latest stage of this lengthy saga.

Yours faithfully

Angie Driscoll
Chair, Birchanger Parish Council