

TOWN & COUNTRY PLANNING (DETERMINATION BY INSPECTORS)

(INQUIRIES) RULES 2000

**PROOF OF EVIDENCE OF ELLEN SOLOMONS ON BEHALF OF
HEATH & HAMPSTEAD SOCIETY AND VALE OF HEALTH
SOCIETY (RULE 6 PARTY)
FOR PUBLIC INQUIRY COMMENCING ON 12th February 2019**

**APPEAL
SITE**

North Fairground Site, Vale of Health, London NW3 1AU

APPELLANT

Knightsbridge Parks LLP

**SUBJECT OF
APPEAL**

Appeal against non-determination by London Borough of Camden of a Certificate of Lawfulness for Proposed Use or Development for 'Use as a site for seven static caravans for residential occupation'.

CAMDEN COUNCIL REFERENCE:

2017/4346/P

PLANNING INSPECTORATE REFERENCE: APP/X5210/X/18/3/3198526

1. I have lived at 1 Athenaeum Hall, Vale of Health, London, N.W.3 1AP for nearly 15 years. I am Chair of the Vale of Health Society and have occupied that position for over 5 years. Prior to this I was Vice Chair for some years. During this time I have always been involved in planning issues in the Vale of Health. Residents in the Vale of Health have tended to speak to me if they have concerns about such issues. I can say that there have been significant concerns about the present application and several Vale of Health residents filed their own objections. Others have told me that they relied on me to oppose the application in my capacity as Chair of the Society.

2. I refer to the Joint submissions of the Heath & Hampstead Society and the Vale of Health Society which were lodged on 24.07.18 and upon which each organisation as a Rule 6 party relies. I also refer to and confirm my statement dated 24.07 18.

3. I wish to refer to 2 additional matters in this proof of evidence. The first matter is the issue as to whether the existing user should be considered to be, as Camden Council state, mixed use combining a show persons' site use and a residential caravan site use or, as the City of London state, a show persons' site in sui generis use.

4. It is not appropriate for me to analyse at length in this proof the arguments which have been put forward but they have caused me to ponder on how I, and I believe others in the Vale of Health, view the site as it has been for many years. I do note the reference in Mr. Thuaire's proof to the fluctuating nature of the site, to the fact that there was a degree of ambiguity in the exact mix depending on times, numbers and occupations of 'unrelated residents' occupying part of the site, and also to the fact that the majority of the site was occupied by the Abbotts caravans and their fairground equipment plus some fairground helpers/workers - (para 5.20). I also refer to the 2 final sentences of para 5.22 of his proof which state that:

" It should be emphasised that the site has continuously remained as one planning unit in sui generis use and it has never been clearly subdivided into separate plots with distinctly defined uses. In particular, a separate residential use has never become established on any part of the site; such separate use as there has been has fluctuated over time and across the site (in terms of intensity and location)."

5. It may be that the issue is one of perception. Residents of the Vale of Health including myself have, over many years, noticed that the site has been used by members of the Abbott family who, when they are on the site, occupy large family-type caravans. The Abbott family have also always brought or allowed onto the site, on a fairly regular basis, caravans which appear to be used for show people when they require a place to stay in connection with the operation of fairs and to store repair and maintain fairground equipment.

6. Reference in the documentation before the inquiry is frequently made to what is described as 'unrelated use'. This use clearly refers to a limited number of small caravans in one corner (south-east) of the site, with the number of caravans and their position on the site varying at different times. It is perhaps relevant to point out that these caravans have never as far as we are aware housed children and appear to be for single occupation. I note there is no evidence from the appellants as to rental agreements or payments over the years which may have assisted the inquiry.

7. Paragraph 15 of our joint submissions refers to the 'notion' of a site where travelling show people live in caravans either temporarily or permanently, where fairground equipment is stored and maintained, where persons with no or little connection with show people live in caravans usually on a temporary and ad hoc basis with limited washing facilities. I accept that, but would add the word 'small' to the unrelated user caravans. On consideration of all the information now available, together with my own observations, my perception is that the site is, and always has been since I came to the Vale of Health, a show persons' site and that, as and when there is space available, the Abbott family has been prepared to allow people to bring caravans onto the site. I would suggest that the 'unrelated user' is wholly subordinate to the real use of the site; it should not be considered as or elevated to an independent use in its own right.

8. The other matter to which I would refer is the nature of the application. In preparing this proof I have re-read the objections made by a large number of people to the application and have noticed the sense of outrage, which we share, that the applicants have considered it appropriate to proceed as they have rather than by making a proper planning application.

THE FACTS STATED IN MY ABOVE PROOF OF EVIDENCE ARE TRUE TO THE BEST OF MY KNOWLEDGE INFORMATION AND BELIEF.

Ellen Solomons 15.01.2019

