

**PROOF OF EVIDENCE IN REBUTTAL TO THE APPELLANT'S EVIDENCE
OF MRS S GORDON ON BEHALF OF BRIMPTON COMMON RESIDENTS'
GROUP**

**In connection with appeals by
Mr J Slater**

**Appeal A against the refusal of planning application reference 23/02984/FUL
At land to the south of Brimpton Lane, Brimpton Common RG7 4RS for change
of use to Gypsy/Traveller site comprising the siting of 1 mobile home and 1
touring caravan.**

PINS REFERENCE: APP/W0340/W/24/3346787

1. I am Sarah Gordon. I am writing this statement on behalf of BCRG in rebuttal of the Appellant's evidence and that of Mr Brian Woods on the issues of personal circumstances, status, land ownership and precedent.

Status

2. It is not correct, as asserted by Brian Woods at paragraph 2.4, that the Rule 6 party intended to challenge Status. In the Statement of Common Ground, the LPA and the BCRG made it clear that they would agree that the appellant had Gypsy and Traveller status on the basis of the "Statement of personal circumstances" dated January 2024 (which the BCRG had not then seen), once satisfactory evidence was provided to support these assertions. The BCRG reminded the Appellant that we were still waiting for this evidence by email dated 27 November 2024 (attached at Appendix 2).
3. No evidence was provided to the BCRG. However, having now seen the Appellant's proof of evidence (albeit heavily redacted) and given the expanded definition of "Gypsy and Traveller" in the PPTS, the BCRG confirm that they will not contest status.

Personal Circumstances

4. The BCRG are concerned that the Appellant's proof of evidence and statement of personal circumstances have been extensively redacted, along with three appendices. There is no justification for this level of redaction, which is highly prejudicial to the BCRG. The BCRG have also not been provided with evidence submitted with the appeal (paragraph 7.66 of the Appellant's statement of case). The BCRG accepts the Appellant's wish to redact their children's names, but we respectfully suggest that large-scale redactions of evidence upon which the Appellant relies as a key part of his case are not fair, reasonable or transparent.
5. The Appellant's and his wife's public social media (which is limited) appears to paint a different picture from that portrayed in the Appellant's proof of evidence. As an example, at paragraph 1.29, the Appellant states that they "had looked at staying at the

Paices Hill transit site over Christmas last year as a temporary reprieve”, whereas Mrs Slater posted photographs of the family at Lapland on 12 December 2023 and in a luxury resort (possibly Dubai) on 2 January 2024. See photographs attached at Appendix 3 (with the children’s faces redacted by BCRG). The BCRG have not seen any photographs on social media that is publicly available to show the family having a “roadside” existence.

6. Other elements of the proof are inaccurate. For example, the rubbish referred to in 1.31 only appeared on the site and most of the rest of the field after its sale to Strat Farm Land Limited (see below), simultaneously with piles of branches cut from the surrounding trees and wooden fencing. Continuous hedgerow, not just bramble, was removed to make the unlawful highway access. The very same photograph of the horse as that attached at Appendix 4 of the Appellant’s proof was posted by Precious Smith on Spotted Tadley on 27 December 2023 (and not 4 April) stating it was owned by her late grandfather. Randolph Black said it was his horse, and residents have been told that it actually belongs to a Mr Frankham. Contrary to the original plan with the application, no paddock is provided within the site.
7. At paragraph 6.48 of Mr Woods’ proof, he states that, provided grazing of land alone (i.e. no supplementary feed) is what occurred, it falls under the umbrella of agricultural as opposed to equestrian. I attach a photograph at Appendix 4 taken by Mr Aaron Smith on 17 January 2024 which show feed was brought onto the site. The photograph at Appendix 4 of the Appellant’s proof also shows supplementary feed.

Land Ownership

8. Clarification of the ownership position in relation to the appeal site was raised in the BCRG’s letter of objection to the original application, and in the BCRG’s statement of case on appeal.
9. In an email dated 9 January 2024, Mr Felix Smithson on behalf of the Appellant stated that “*We have received confirmation from our client that **he** has purchased the site, but it is yet to transfer on Land Registry due to a long backlog. We have requested he provides the TR1 which will display this on-going transfer.*” [see Rule 6 Party Appendix 2.5 to SoC]. This statement was not true, and the transfer document was not provided.
10. The Appellant was asked by the Inspector to clarify the land ownership situation and whether the correct certificate had been completed by 4 November 2024. At 16.46 on 4 November 2024 Mr Smithson confirmed that the Appellant is the legal owner of the site, but the Land Registry change is still pending. The BCRG requested in its email of 27 November 2024 (Appendix 2) that the Appellant provide a copy of the transfer of the registered title and the application to the Land Registry.

11. The TP1 at Appendix 1 to my original proof confirms that Mr Randolph Black purchased the appeal site from Strat Farm Land Limited on 20 October 2023 for £55,000.
12. Given the Appellant's lack of cooperation (and I note Mr Woods has declined to provide evidence of the Appellant's ownership), I have now made further enquiries of the Land Registry, which were escalated.
13. I was informed by the Advisor at the Land Registry that on 20 October 2023 the entire field (under title number BK8916) was transferred from the previous owner (who had owned it since 1980) to Strat Farm Land Limited for £251,500. The TR1 (received on Christmas Eve) is attached (Appendix 5). Despite this transaction, Strat Farm Land Limited was listed as a dormant company at Companies House. The company accounts for the year ended 31 October 2023 are attached (Appendix 6).
14. The single share in Strat Farm Land Limited is owned Strategic Land Holdings Limited, a company registered in the Isle of Man, which, according to its UK website, invests in land with the intention of achieving an enhancement in value by obtaining planning permission. It only invests in land without planning permission. The ultimate owner(s) are not clear.
15. On 20 October 2023 a simultaneous transfer of plot D (the appeal site) was then made to Randolph Black.
16. I was informed that a further transfer was made of the ownership of plot D from Mr Randolph Black to the Appellant on 3 September 2024 and that an application was made to the Land Registry to register the change of ownership on the same date. I attach a copy of the TR1 showing the transfer, which was "not for money or anything that has a monetary value". This document was received by me on 27th December 2024 and is attached at Appendix 7.
17. At paragraph 3.3 of his proof, Mr Woods provides an incomplete quote of the BCRG's position. Mr Randolph Black asserted to me and other members of the BCRG that he owned the appeal site. This was true at the time.
18. It is also not correct that the BCRG have not "bothered to properly review the land registry documentation"; none of the transfers are showing on the Land Registry Site, and the BCRG have spent many hours on the telephone to the Land Registry since April trying to establish the true position, which the Appellant should have provided.

Precedent

19. The BCRG do not agree with Mr Woods that there is not "sufficient justification to rely upon precedent" (paragraph 6.75). As set out below, there is ample evidence of

co-ordination and common interests, and Mr Woods has been personally involved in two of the other applications for planning permission referred to in paragraph 6.74.

20. In relation to the other plots (shown in Appendix 8), I was informed by the Land Registry that the only applications for transfers of title are as follows:
- a. Plots J and K were purchased by a resident of Brimpton Common.
 - b. Plot C was transferred (on 30 October 2023) from Strat Farm Land Limited to Mr Lee Cooper, a traveller, who gives his address as a traveller's site in Windsor. The TP1¹ is attached (Appendix 9).
 - c. Plot E was transferred to Mr Frank Loveridge on 31 October 2023. The TP1¹ is attached (Appendix 10). Mr Loveridge is also a traveller and took part in the IUD on the appeal plot as set out in the proof of evidence of Nick Paus. Plot E was the subject of an application for a change of use to "Equestrian", using the same planning advisors.
21. There have been no applications to the Land Registry for transfers of plots A, B, F, G, H or I, which apparently remain in the name of Strat Farm Land Limited.
- a. The BCRG was informed by a man who called himself Dean that he intended to put two mobile homes on plots A and B but, ultimately, he hoped to build two 5-bedroom houses.
 - b. Plot F was the subject of planning application for a self-build house (24/01549/FUL). The BCRG had understood this plot was owned by the applicant (Mr Tunnell), and it is therefore surprising that he has not applied to the Land Registry to register his interest.
 - c. An application (24/00594/FUL) for two pitches was made in relation to approximately half of plots G, H and I, using the same agents as the Appellant. Although it was refused and not appealed, there is nothing to stop a further application being made on the other half of those plots. The applicant (Mr Fred Ball) signed certificate B listing only WBC Highways department as an additional owner. This does not now appear to be accurate. Mr Nick Paus has set out in his statement that a resident was told that these plots were owned by Mr Sam Black and Mr Tom Black, and the agent's plans submitted with the application identify the client as 'Black & Ball'.
22. Although the ultimate ownership position of the field remains obscure, this latest information strongly suggests that the entire field (with the exception of plots J and K) has been purchased with the objective of development. As set out in the proof of Nick

¹ TP1s received on 24 December 2024

Paus, it has been clear that the owners have been working together around the whole field, not just the site, and it seems obvious to the BCRG that, if this appeal is allowed, other applications will follow swiftly.

23. The BCRG would respectfully point out that the Appellant asked that his appeal be determined by a Public Inquiry, partly because “other similar developments have occurred in close proximity and are likely to be refused and/or appealed by their respective applicants” (paragraph 1.8 of the Appellant’s Statement of Case).
24. I confirm the facts and matters contained in the proof are true to the best of my knowledge and belief.