

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION BY MR JOHN PRICE AGAINST THE
REFUSAL BY WILTSHIRE COUNCIL OF AN APPLICATION
FOR “THE USE OF LAND FOR THE STATIONING OF
CARAVANS FOR RESIDENTIAL PURPOSES AND THE
ERECTION OF A DAYROOM ANCILLARY TO THAT USE”**

**LAND AT SPIN HILL, MARKET LAVINGTON, DEVIZES,
SN10 4NS
GPS REFERENCE: 22_1260A**

**ASSESSMENT OF THE NEED FOR GYPSY AND TRAVELLER PITCHES
IN WILTSHIRE
ON BEHALF OF THE APPELLANT
GREEN PLANNING SERVICES LTD**

Preliminary Issues

1. This Assessment of the Need for Gypsy and Traveller Pitches is an analysis of the Wiltshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment dated June 2024, (“the **GTAA**”) (Appendix C1) by Opinion Research Services (“**ORS**”).
2. There are preliminary issues to be noted before any substantive analysis.

PPTS Definition

3. The GTAA is based on the 2023 PPTS definition.
4. As of 12th December 2024, the PPTS definition is as follows:

*“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, **and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.**” [GPS Emphasis]*

5. Following the change in the PPTS definition it is anticipated to be common ground that the need for all Travellers who live, or wish to live, in caravans, will need to be met by the Council through the PPTS.
6. The GTAA at paragraph 3.27 states:

“3.27 Households that need to be formally considered in the GTAA fall under one of three classifications. Only those households that meet, or may meet, the planning definition will form the components of need to be formally included in the GTAA:

- *Households that travel under the planning definition.*

- *Households that have ceased to travel temporarily or permanently under the planning definition.*
- *Households where an interview was not possible who may fall under the planning definition.”*

7. The GTAA at paragraph 3.37 refer to households who do not meet the definition, and state:

“Households who have never travelled for work, or have never travelled, still fall outside of the PPTS planning definition of a Traveller...The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area and will form a subset of the wider need arising from households residing in caravans. This is echoed in the NPPF (2023).”

8. It is clear from the above that the GTAA will not have considered the needs of those who now fall within the wider scope of the 2024 PPTS definition, including those who have a cultural tradition of living in a caravan and can no longer be considered a robust and up to date assessment of need.
9. Despite the 2024 ‘update’ GTAA being published following the publication of the 2023 PPTS definition, at paragraphs 3.32 – 3.34 of the GTAA still refer to the 2015 PPTS definition and the percentage of unidentified households that are likely to meet the definition (ORS’ figure of 30%). This is later applied at Figure 15 (page 59).
10. Given the 2024 definition change however, the breakdown of need based upon those who do and not meet the 2015/2023 definitions, is no longer applicable.

11. For the avoidance of doubt the figures within the GTAA are not agreed. It is clear upon review of the GTAA that there are various errors therein that will have resulted in an underestimation of the need in the District, and the lack of and need for gypsy and traveller pitches is worse than the Council figures portray. This assessment seeks to highlight those errors.

Statutory Framework

12. The Housing and Planning Act 2016 at section 124 sets out:

Assessment of accommodation needs

(1) In [section 8](#) of the Housing Act 1985 (periodical review of housing needs), after subsection (2) insert—

“(3) In the case of a local housing authority in England, the duty under subsection (1) includes a duty to consider the needs of people residing in or resorting to their district with respect to the provision of—

(a) sites on which caravans can be stationed, or

(b) places on inland waterways where houseboats can be moored.

(4) In subsection (3)—

“caravan” has the meaning given by [section 29](#) of the Caravan Sites and Control of Development Act 1960;

“houseboat” means a boat or similar structure designed or adapted for use as a place to live.”

(2) In the [Housing Act 2004](#) omit sections 225 and 226 (accommodation needs of gypsies and travellers). **[GPS emphasis]**

13. All gypsies and travellers living in caravans fall within this section and Local Authorities are required to consider their accommodation needs.
14. Whilst the Housing and Planning Act 2016 has repealed s225 and s226 of the Housing Act 2004 which referred specifically to the need to carry out an assessment of the accommodation needs of gypsies and travellers, in practice there is no difference.
15. There remains a duty to assess and consider the accommodation needs of gypsies and travellers, and this would cover all gypsies and travellers who wish to reside in caravans as opposed to bricks and mortar housing.

16. Gypsies and travellers often have a cultural aversion to bricks and mortar and therefore require culturally suitable accommodation. This is a relevant protected characteristic under the Equality Act 2010.
17. The Equality Act 2010 imposes a public sector equality duty under s149:

Public Sector Equality Duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

[GPS emphasis]

Planning Policy

18. Planning Policy for Traveller Sites (“**the PPTS**”) which was first published in 2012, subsequently revised in August 2015 and most recently December 2024 states:

The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

To help achieve this, Government’s aims in respect of traveller sites are:

- a. that local planning authorities should make their own assessment of need for the purposes of planning*

19. The definition of gypsies and travellers within the PPTS 2024 has been amended and is as follows:

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

20. This definition is understood to be, in part as a result of the Court of Appeal judgement in the case of **Lisa Smith v Secretary of State** (Appendix C10).
21. Assessments of gypsy and traveller accommodation needs by Green Planning Studio have always taken a realistic and practical approach in including all gypsy and traveller sites. With the revision to the definition in the 2024 PPTS the Government has now firmly

fallen into line with the approach towards assessing gypsy and traveller need taken by Green Planning Studio for almost 20 years.

22. Within the revised NPPF 2024, paragraph 62 states:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”

23. Paragraph 63 of NPPF 2024 provides further clarification to paragraph 62, and includes gypsy and traveller need within the national policy framework:

“Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) travellers”.

24. This provides clarification that the accommodation needs should be met for all gypsies and travellers, whether they meet the definition or not.

Local, regional and national Need

25. It is a matter of commonsense that the consideration of need goes beyond the need within a district and includes need in the sub-region / region and nationally.
26. The Planning Policy for Traveller Sites (PPTS) is designed to increase the number of authorised Gypsy sites, particularly privately owned ones, (see paragraph 4, criteria e). This is consistent with the previous Circular 01/06 at paragraphs 3 and 12c.
27. Paragraph 7c of the PPTS sets out that a robust evidence base must be used to establish accommodation needs. This is again consistent with the previous Circular 01/06.
28. Outside of the GTAA/GTNAs and LPA records of permissions/appeals there are two other sources of information that can assist and can be considered. These are:
 - The DCLG Caravan Count (collected biannually)
 - The 2011 and 2021 Census

The DCLG Caravan Count

29. The ODPM/DCLG Gypsy count figures are almost universally an underestimation of the number of caravans and also need in any district for the following reasons:
- a. The figures do not include hidden need: i.e., those in bricks and mortar houses who have had to live in a house due to lack of provision and would prefer to live in a caravan.
 - b. The methodology used by councils to count caravans varies considerably, e.g. In some cases, caravans are excluded or included in the 'with permission' column when they don't have permission in certain circumstances.
 - c. The figures do not take account of overcrowding within caravans.
 - d. On authorised sites the figure is often that of the permitted capacity rather than the actual number which can exceed this through doubling up.
 - e. People living in caravans in the gardens of houses or in commercial yards or staying on lawful holiday permission touring sites are not recorded.

2011 and 2021 Census information

30. Census data is an important source of information.
31. The 2021 Census data (Appendix C5) has now been published and is considered below.
32. Appendix C8 is based on the 2011 census data, however, GPS are not aware of an updated version this report yet having been published.
33. The following points should be noted about the 2021 census data.
34. The 2021 census recorded 71,440 people in households in England and Wales who completed the census who chose to identify themselves as 'Gypsy or Irish Traveller'.
35. The 2021 Census is likely to significantly under-record the number of gypsies and travellers in the UK This is likely to have occurred due to a number of factors which fall into two categories. Firstly, entire households not being recorded at all. This would be the result of:
 - The transient nature of the population. This is more likely to be a bigger issue in the caravan-based population.
 - The cultural distrust of authority.
 - Low levels of literacy.
36. Secondly it is likely many gypsy and traveller households who completed the census will have not declared they are gypsy and travellers. This will be due to a fear of (not obviously likely in practice) neighbours finding out their backgrounds. This problem is more likely to occur with those in bricks and mortar.
37. This can clearly be shown, in that the Census found approximately 14,915 people living in caravans in England and Wales and 13,975 in just England. However, the July 2021

caravan count (which will not have recorded all caravans lived in by gypsies and travellers) found 24,203 caravans across England (the respective figure for England and Wales not being provided).

38. It is highly improbable that that many caravans would house that few people. It is more likely that the caravan-based population is around 4 times the level found in the census.
39. This is backed up by analysis of the first tranche of GTAA's carried out by the Irish Traveller Movement in Britain in their August 2013 report 'Gypsy and Traveller population in England and the 2011 census' which found an estimated population of 119,193. These figures come with the caveat that the GTAA's are likely to underestimate the number of households (and therefore population) living in caravans and significantly underestimate the bricks and mortar population.
40. GPS believe that the 2021 Census is likely to record no more than one third of the gypsy and traveller population in England and Wales.
41. What the Census information does do however is provide a statistically robust sample which assists in two key areas.
42. Firstly, the population age profile. This assists in considerations of future growth rates.
43. Secondly the ratio between gypsies and travellers in bricks and mortar (76%) and caravans (24%). This assists in considering likely number of households in bricks and mortar when considering the net movement of households between bricks and mortar and caravans.

National need for gypsy and traveller sites

44. The ODPM/DCLG gypsy count identified approximately 27,429 travellers in caravans in July 2024 in England and approximately 26,639 travellers in caravans in January 2024 in England.
45. There were 4,018 unauthorised caravans reported in the July 2024 count, an increase of 297 since January 2024.
46. Given that the caravan counts are almost always an underestimation; these figures represent a clear need for gypsy and traveller sites nationally.
47. Despite this, the Government approach towards gypsies and travellers remains negative, with the Planning Resource observing that a recent consultation is focused upon stronger enforcement, rather than site supply (Appendix C8).

Part two: Assessment of Gypsy and Traveller Needs in Wiltshire

48. This Assessment of the Need for Gypsy and Traveller Pitches is an analysis of the Wiltshire Gypsy and Traveller Accommodation Assessment dated June 2024 (“the GTAA”) (Appendix C1) by Opinion Research Services (“ORS”).
49. Fieldwork took place from November 2023 to March 2024 (paragraph 1.8). A base date of 1st April 2024 is claimed.
50. The bi-annual traveller caravan count figures, closest to the base date are dated January 2024 and July 2024. The January 2024 caravan count records 549 caravans, 530 located on authorised sites and 19 on unauthorised sites (Appendix C2).
51. The July 2024 caravan count records 521 caravans, 502 on authorised sites and 19 on unauthorised sites. (Appendix C3).
52. In Wiltshire, the last six caravan count figures ending with January 2024 show a figure variation between 498 and 555, with between 19 and 30 caravans on unauthorised sites.
53. The GTAA identifies 376 (minus 4 identified on roadside/in-migration – see Figure 7, paragraph 7.19) gypsy and traveller households in the district at the base date, on the following category of site:

Figure 5 - Total amount of provision in Wiltshire (April 2024)

Category	Sites/Yards	Pitches/Plots
Public sites	3	50
Private with permanent planning permission	66	302
Private with temporary planning permission	0	0
Tolerated sites	3	4
Unauthorised sites	8	14
Public transit sites	0	0
Travelling Showpeople yards – with permanent planning permission	5	13
TOTAL	85	383

54. The GTAA identifies a need for a total of 299 additional pitches from 2024 – 2038, as follows:

Figure 1 – Need for Gypsy and Traveller households in Wiltshire (2024-2038)

Status	2024-2038
Meet Planning Definition	188
Undetermined	38
Do not meet Planning Definition	73

55. The GTAA identifies a total need (those who meet the definition, undetermined and do not meet the definition) broken down in 5 year periods as follows:

- 2024 – 2028: 210 pitches
- 2029 – 2033: 42 pitches
- 2034 - 2037: 37 pitches
- 2038 – 2039: 10 pitches

56. As above, given the change in the PPTS definition, it is an unsound approach to seek to split the need figures into those who meet the definition and those who do not, it fails to ensure that all those in need of a pitch would be counted and the Council would not be meeting their duty under the Housing and Planning Act 2016.

57. GPS has identified several flaws in the methodology and approach used in the GTAA which will have resulted in an underestimation of the level of need for the pitches in the District. These are considered below. The same methodology was used throughout the District and the criticisms will be applicable for each area considered.

Survey and methodology

58. The 2024 GTAA is an update of the 2022 GTAA, and states at paragraph 3.11:

“As this is an update of Gypsy and Traveller Needs for Wiltshire, a 3-stage approach was taken to update the household interviews.

» Stage 1: Review of 2022 baseline for the previous GTAA.

» Stage 2: Completion of new household interviews where required for new sites and sites where changes have occurred since the previous GTAA.

» Stage 3: Review of previous household interviews and demographic uplift of data.”

59. The GTAA goes on to state:

“3.13 Following the review of the 2022 baseline, it was identified that new household interviews would need to be completed on a total of 12 Gypsy and Traveller sites and 1 Travelling Showpeople yard, comprising 81 pitches and 1 plot. These were on a combination of sites that were not included in the 2022 GTAA baseline or on sites where it was not possible to complete interviews for the previous GTAA.”

60. This is less than 25% of the pitches within the district at the time of the 2024 base date.

61. At paragraph 3.18 the GTAA states:

“ORS worked closely with the Council to review the outcomes of the interviews that were completed to support the 2022 GTAA, where there have been no known changes to pitch numbers and where ownership and occupancy is understood to be the same”

62. In terms of stakeholder engagement, the GTAA states at 3.9:

“Engagement for the previous GTAA (also completed by ORS) was undertaken with key Council officers through telephone interviews. Whilst no formal interviews were completed for this GTAA Update, detailed discussions were held to determine any changes since the previous GTAA was completed.”

63. This approach places too much reliance upon the Council to be fully aware of the current needs of the site occupants of all pitches at the 2024 base date.
64. Figure 6, on page 31 of the GTAA, sets out the number of interviews completed per site. All sites are included (totalling 385) in this table, however it fails to set out when the interviews were completed (i.e. in 2022 or 2023/2024 for the update), yet a ‘robust response rate’ of 88% is claimed by ORS.
65. It is therefore clear, that in relation to some sites new interviews were not conducted.
66. The 2024 GTAA purports to ‘update’ the 2022 GTAA, however the 2022 GTAA (Appendix C4) also purported to be an ‘update’ of the 2020 GTAA.
67. The same approach in relation to interviews was employed for the 2022 update, with the same lack of detail and clarity in relation to which sites had interviews carried out and when.
68. There is a fundamental lack of transparency within the 2024 GTAA, as there was with the 2022 GTAA. This raises questions as to whether some sites may have been deliberately excluded/not visited to lower the level of need identified in the 2022 and now the 2024 GTAA results.
69. There is no information in the 2024 GTAA about how many attempts were made to visit sites where it was deemed that an interview was required.

70. By failing to interview all households on the sites, the GTAA has potentially failed to identify additional information as to the actual need from the sites.
71. The lack of more robust survey data being used as the evidence base for the GTAA is likely to lead to possible shortcomings in the overall accuracy of the conclusions.
72. Green Planning Studio has identified several flaws in the methodology and approach used in the GTAA which will have resulted in an underestimation of the level of need for pitches in the District, including the failure to adequately identify those in bricks and mortar and doubled up/concealed households.

Demand

Permanent Private Pitches

73. The 2024 GTAA at identifies (paragraph 4.7) 302 private pitches; an increase on the 261 pitches identified in the 2022 GTAA.

74. Of the 302 pitches identified, the following was noted by ORS:

- 32 were occupied by non-travellers
- 19 were vacant
- 31 were 'undeveloped'

75. GPS agree that pitches occupied by non-travellers at the base date ought not be included in the household figures as in need. However, in relation to the sites occupied by non-travellers, these cannot be rightly counted as supply as the sites are not available unless there is good evidence that they will become available, this is considered in further detail below. Additionally, some people who would have been recorded as non-travellers now, may fall within the new definition as they may be people who have a cultural tradition of living in a caravan, even if they are now Romany gypsy or Irish Traveller.

76. It however pertinent to note at this stage the inaccuracy of the information contained within the GTAA in relation to Greenacres, which is one listed as having non-travellers on site.

77. The GTAA lists that there are 14 pitches permitted, 3 interviews were conducted at the site (the date of which is unknown), 7 were listed as 'vacant' and 4 were occupied by non-travellers. To anyone without knowledge of the site, this would appear to account for the 14 pitches permitted at the site. This is far from the reality of this site, which casts

considerable doubt over the reliability of data contained within the GTAA in relation to other sites also. There were probably around 50-60 households living on Greenacres in 2024, approaching half of whom would meet the definition of gypsy and traveller. GPS will allow for 14 lawful pitches, with 25 traveller families (11 of whom are doubled-up).

78. The alleged vacancies are not agreed. There is no threshold set out by with ORS determine a pitch to be “vacant”, or whether the occupants are away travelling. A pitch can be vacant for a period of time, whilst a family might be away travelling for example, but not indefinitely.

79. ORS appear to have amended their approach to ‘vacant’ pitches within their more recent GTAA. At paragraph 3.41 the GTAA states:

“3.41 It is important when seeking to identify supply from vacant pitches that they are in fact available for general occupation – i.e. on a public or social rented site, or on a private site that is run on a commercial basis with anyone being able to rent a pitch if they are available. Typically, vacant pitches on small private family sites are not included as components of available supply but can be used to meet any current and future need from the family living on the site.”

80. A comparison with the 2024 GTAA undertaken by ORS and GPS’ research reveals potential inconsistencies. However, as a general point there are a number of sites/planning references for which no documentation exists on and/or documentation could not be loaded from the Council’s website. These sites include but are not limited to:

- Broken Cross Bridge
- Land at Lower Westbury Road
- Land at Orchard Paddock
- Land West of Penn Farm
- Specks Caravan Park
- Land adjacent old telephone exchange
- Land at west side of B3092 Mapperton Hill

Christian Place

81. The 2024 GTAA allows for 3 pitches as was the case in the 2020 and 2022 GTAA.

82. A review of the Council's website reveals that an application for 3 pitches was made in 2000 pursuant to reference N/00/00846/FUL and refused. No documents are available on the Council's website. However, GPS identified that the refusal was successfully appealed (APP/J391/A/00/1052914). Subsequent to that, an application for a variation of condition to "increase number of *residential caravans from 3 to 4*" was submitted. This too was the subject of appeal. The appeal decision is at Appendix C13.

83. The Appeal Decision at C13 confirms that permission exists for "no more than 4 residential caravans (including the mobile home) and the storage of one caravan for touring shall be stationed on the site".

84. GPS generally work on a ratio 2 caravans for every complete pitch. On this basis permission would only actually exist for 2 pitches and the remaining household would therefore be doubled-up or concealed.

Frampton Farm

85. The GTAA allows for 15 pitches at this site. It is noted that there were 12 non-travellers observed. The approach to these households/supply of pitches is addressed above.

86. There is an extensive history of planning applications at the Frampton Farm site. ORS in previous appeals, in which GPS were the agent, have provided a list of permission references to justify the 15 pitches recorded at this site. Those are set out below:

- N/08/02114/FUL (1 pitch permanent) – This decision notice is available on the Council's website, however this was a temporary consent not a permanent.
- N/10/00907/FUL (4 pitches permanent) – This reference returns no results for this site on the Council's website.
- N/11/00974/FUL (4 pitches permanent) - This reference returns no results for this site on the Council's website.
- N/12/00593/FUL (2 pitches permanent) - This reference returns no results for this site on the Council's website.
- 15/04420/FUL (4 pitches permanent) – 4 pitches granted on the 30th June 2015.

87. As a result of the above, it is not possible for GPS to undertake a full analysis of the permissions.

88. The Council are requested to provide disclosure of the relevant permissions pending which GPS accept the GTAA pitch figures.

Melbourne View

89. The 2020 GTAA included 11 pitches at the above site within Figure 7. The 2022 GTAA reduced this figure to 4 pitches, as remains the case in the 2024 GTAA.

90. Permission 14/08266/VAR (Appendix C14) permits a total of 15 caravans on the land, the Decision Notice providing:

“No more than fifteen caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than three shall be a static caravan or mobile home and no more than twelve shall be touring caravans, shall at any time be stationed on the site”

91. The description of development refers to 4 touring caravans being stored on the land. Condition 9 prevents residential or holiday use of those caravans.

92. ORS within their evidence (May 2022) (Appendix C15) for appeal APP/Y3940/W/19/322983 state:

“The situation surrounding the planning history and occupation of Melbourne View is complex.

14/08266/VAR states at Condition 3 that no more than 15 caravans shall be stationed on site, of which no more than 3 shall be statics or mobile homes, and no more than 12 should be tourers.

Condition 9 then makes it clear that the four touring caravans hereby granted permission to be stored on site shall not be occupied at any time for residential or holiday purposes.

This takes the permitted number of liveable units to 3 statics and 8 tourers = 11 units. This explains the total of 11 shown in the 2020 GTAA which ORS now accept is incorrect as not every unit would constitute a pitch.

During the fieldwork for the 2022 GTAA a total of 4 households were living on the site and all were interviewed. They confirmed that it was a family site and that they are the permanent occupiers. Other family members do come and go but none live on the site permanently.

Therefore ORS and the Council have concluded that the site should be recorded as having 4 pitches in the absence of any specific number in the planning permission."

93. GPS are not in agreement. Issues with the identification of households by ORS and the survey data are examined above. It is stated that no other family members live on the site permanently however, it is not clear what questions were raised in this regard and the accuracy of ORS' conclusions.

94. Based on "11 liveable units" and using the ratio of two caravans to every pitch permission exists for 6 pitches. GPS retain this figure for households and pitches.

Land adjacent the B4040

95. The GTAA in 2022 identified 2 pitches with planning permission, but undeveloped. The 2024 GTAA identifies 6 pitches with planning permission, also undeveloped.

96. GPS has identified planning permission 16/05720/FUL, which granted 2 pitches. That permission would have expired on the 30th April 2021 due to non-implementation.

97. The Google Earth image dated April 2021 shows the undeveloped site.



98. The Council acknowledge this in the discharge of conditions letter dated 22 June 2021 (Appendix C16).

99. On 19th September 2023, planning permission was granted on appeal (APP/Y3940/W/23/3320819, PL/2021/06991) for 4 additional pitches at the site. It appeared to be a matter of common ground between the parties that the 2016 permission for 2 pitches had been implemented, so was not addressed in the Inspector's decision.

100. The officer's report for PL/2021/06991 notes:

"Planning permission (16/05720/FUL) has been granted for two Gypsy/Traveller pitches on land immediately south of the application site, but this has not been fully implemented."

Rubble has been spread over the surface of the land. Hardly any other works appear to have been carried out."

101. The 2016 permission appears to have expired, as such GPS only accept 4 pitches at this site. Those pitches have not yet been developed.

Land at Four Oaks.

102. The 2024 GTAA allows for 12 pitches. It was accepted by Steve Jarman on behalf of ORS in the evidence dated May 2022, for appeal APP/Y3940/W/19/3229836 (appendix C15), that the site only benefits from permission for 11 pitches.

103. Unfortunately, the references provided by Mr Jarman for those permissions do not provide results for that site on the council's website, as such GPS are in a position to verify this information.

104. It is clear however that ORS have previously accepted that the figure of 12 pitches is incorrect, and there are in fact 11 authorised pitches. It is possible that the additional pitch is in fact doubled up.

Nial's Yard

105. The GTAA identifies 1 pitch at this site. GPS have been unable to locate the application documents on the council's website, and as such have not been able to verify this permission.

106. The Council are requested to provide the application reference and documentation, however until then GPS accept the figure of 1 pitch recorded in the GTAA.

Sambourne Park

107. The GTAA identifies 16 pitches at this site, however it also notes that 6 pitches are undeveloped (Figure 6, page 32). This is not correct, as can be seen from the Google Earth image dated April 2021:



108. This will have led to a reduction in the number of households recorded as living on authorised pitches at the time of the basedate.

Land South of Old Farm

109. The GTAA records 1 pitch at this site however notes that it is undeveloped. Planning permission 20/05488/FUL (Appendix C18) was granted on the 23 December 2020 for *'The Change of Use of Land to 1 no. Gypsy Traveller Pitch and Associated Works Including, 1 no. Mobile Home, 1 no. Touring Caravan and 1 no. Dayroom and Hardstanding'*.

110. The site remains undeveloped, as shown in the Google Earth image dated May 2025 below:



111. The planning permission for this site therefore expired on the 23rd December 2023.

112. GPS, therefore, concludes that **there were 346 private pitches with permanent planning permission as at the base date. Making deductions for unimplemented/undeveloped pitches and pitches occupied by non travellers, there were 293 households on authorised pitches.**

113. Figure 7 of the GTAA (page 45) identifies a total of 343 households on public and private sites:

Figure 7 – Planning status of households in Wiltshire

Status	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
Gypsies and Travellers			
Public Sites	30	25	0
Private Sites	186	70	32
Temporary Sites	0	0	0
Tolerated Sites	0	1	3
Unauthorised Sites	12	2	1
B&M	11	2	1
Roadside/In-migration	4	0	0
Sub-Total	243	100	37

Unauthorised Households

115. An unauthorised pitch is a household that is currently living on a site (either which they own or with permission of the owner) without planning permission. This is different from unauthorised encampments which arise when a household is living on a site that they do not own without planning permission and without permission of the landowner.
116. The 2024 GTAA identifies 13 pitches on unauthorised sites (see Figure 6, page 34).

	Unauthorised Sites			
73	Dreamlea, Purton Stoke	2	2	
74	Land adjacent 27 Restrop Road	1	0	1 x no contact
75	Land North of 34 - 39 Clyffe Pypard	3	3	
76	Littleton Drew, Chippenham	2	2	
77	The Caravan, No. 9 Old Court, Royal Wootton Bassett	1	1	
78	The Old Dairy Yard, Barford St Martin	1	1	
79	The Paddock, Bromham	3	3	

117. Figure 7 (page 45) identifies 15 households on unauthorised sites. There is no explanation for this discrepancy within either Figure 6 or Figure 7 of the 2024 GTAA.

Figure 7 – Planning status of households in Wiltshire

Status	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
Gypsies and Travellers			
Public Sites	30	25	0
Private Sites	186	70	32
Temporary Sites	0	0	0
Tolerated Sites	0	1	3
Unauthorised Sites	12	2	1
B&M	11	2	1
Roadside/In-migration	4	0	0
Sub-Total	243	100	37

118.
30

Need Statement on behalf of the Appellant
June 2025

119. It is noted that a number of the unauthorised households identified in the 2022 GTAA are not included, and no planning permission has been located for them. GPS do not include these sites in their calculations pending confirmation from ORS/the Council as to why these were removed and whether the sites remain. Those sites include:

- Hillbilly Acre/Avonview - 2 pitches
- Land adjacent to Electricity Sub Station, A350 – 3 pitches

120. GPS will therefore proceed with a **total of 15 households on unauthorised households as at the base date**

Tolerated Households

121. The 2024 GTAA includes 4 pitches on tolerated sites (Figure 6, page 34).

	Tolerated Sites			
70	Blandford Road	1	0	1 x refusal
71	Hatt Hill	2	0	2 x no contact
72	Viny Ridge	1	1	

122. The 2024 GTAA (page 61) defines tolerated sites as:

“Long-term tolerated sites or yards where enforcement action is not expedient, and a certificate of lawful use would be granted if sought.”

123. GPS accept that there are instances where sites have become immune from enforcement through the passage of time. However, there is no security for the occupants as there has been no grant of planning permission, as such it is not appropriate to treat these sites as authorised.

124. GPS therefore include the households in their base figures, but do not include the sites within the authorised supply figures.

125. GPS therefore allow for **4 households** on tolerated sites.

Inward migration/Waiting lists

126. The 2024 GTAA allows for inward migration/roadside identifying 4 households in this category at Figure 7 (page 45).
127. GPS consider that reliance on waiting lists and in migration from other local authorities in order to calculate need in an area is an unsafe method. We do not know for example, if those households who have indicated a desire to move into the area, have also indicated a desire to move to other areas.
128. If inward migration from other local authorities is to be taken into account, it is also necessary to look to a corresponding outward migration figure. Failure to do so is a very poor methodological approach as will be set out below.
129. Accurately calculating inward and outward migration is fraught with difficulties. In light of this GPS recommend that neither is taken into account.
130. The 2024 GTAA at paragraph 7.25 states:
- “Evidence drawn from stakeholder and household interviews has been considered alongside assessments of need that have been completed in other nearby local authorities. The household interviews identified 4 households living on roadside predominantly in Wiltshire with a need to move to a permanent pitch area.”*
131. Given that they are already in the local authority area these households are included.
132. GPS therefore allow for **4 households** in this category.

Concealed and Doubled-up Households

133. Concealed households are adult individuals or couples or families living within the accommodation of another family, usually but not exclusively a related household. Accurately identifying these concealed households is important as they are in immediate need of a pitch of their own and they also form part of the total of the families at the base date of the assessment from which future family growth is calculated.
134. Doubling up is where a pitch intended for one family is also occupied by one or more additional families occupying their own caravans, usually touring caravans. Doubling up is the most common way that gypsy and traveller families without permanent bases manage to exist. Often, they can only stay on a site for a few weeks or months and their occupation is often in breach of conditions attached to the planning permission for that pitch. Each family doubled up is in immediate need of a pitch of their own and they also form part of the total of the families at the base date of the assessment from which future family growth is calculated.
135. ORS's approach is to conflate concealed and doubled-up households which is an unhelpful approach but will be followed by this analysis as the number identified cannot be unpicked.
136. In Green Planning Studio's experience many young gypsies and travellers travel around doubling up on friends and family's pitches, on both privately and council owned sites. In our opinion it is therefore highly probable that there would be an underestimation, even in the GTAA of doubling up occurring within the county.
137. The 2024 GTAA provides no clear assessment of what households they deem to be concealed or doubled-up. It is impossible for Green Planning Studio to examine the 2024 GTAA's figures, because no methodology of assessment has been provided as to how the 2024 GTAA reached those figures. It appears that the determination of whether a

household was or was not concealed was left to the interviewer. This is clearly an arbitrary and not a robust approach and leads to serious doubts about the 2024 GTAA's accuracy.

138. The 2024 GTAA aggregates considerations over doubling-up/concealed/and overcrowded households and does not make material attempts to distinguish the three considerations. Doubled-up households are different to concealed households. It is erroneous to consider doubling-up/concealed/and overcrowded households together. However, in the absence of any survey data published in the GTAA, it is impossible for GPS to scrutinise information in any detail.

139. The GTAA identifies the following concealed/doubled up households:

- 60 concealed / doubled-up households - meet the planning definition (an increase of 31 since the 2022 GTAA)
- 15 concealed / doubled-up households - did not meet the planning definition (an increase of 4 since the 2022 GTAA)
- 17 - concealed / doubled-up households – Unknown (an increase of 17 since the 2022 GTAA)

140. This provides a total of 92 concealed/doubled-up households.

141. However, as set out above in relation to Sunnyside and Christian Place additional concealed/doubled up households have been identified.

Greenacres

142. As set out previously, there were at least 11 households doubled up on this site at the time of the GTAA base date.

Christian Place

143. The 2024 GTAA allows for 3 pitches as was the case in the 2020 and 2022 GTAA.
144. A review of the Council's website reveals that an application for 3 pitches was made in 2000 pursuant to reference N/00/00846/FUL and refused. No documents are available on the Council's website. However, GPS identified that the refusal was successfully appealed (APP/J391/A/00/1052914). Subsequent to that, an application for a variation of condition to "*increase number of residential caravans from 3 to 4*" was submitted. This too was the subject of appeal. The appeal decision is at Appendix C13.
145. The Appeal Decision at C49 confirms that permission exists for "*no more than 4 residential caravans (including the mobile home) and the storage of one caravan for touring shall be stationed on the site*".
146. GPS generally work on a ratio 2 caravans for every complete pitch. On this basis permission would only actually exist for 2 pitches and the remaining household would therefore be concealed or doubled up.
147. Given that the GTAA initially included these households as authorized it is clear that they were not included in the figures identified therein as concealed as doubled up or concealed and must be added to the overall figures.

Land at Four Oaks

148. The 2024 GTAA allows for 12 pitches. It was accepted by Steve Jarman on behalf of ORS in the evidence dated May 2022, for appeal APP/Y3940/W/19/3229836 (appendix C15), that the site only benefits from permission for 11 pitches. The twelfth pitch or household is therefore doubled-up.
149. It is also noted that ORS do not extrapolate the concealed / doubled-up household rate across the unknown households. The numbers of concealed / doubled-up households will be higher.

150. It is therefore concluded that **105 concealed / doubled-up households** should be allowed for.

Conclusion on households living in caravans as at the base date

151. Green Planning Studio has concluded on the information available to us that there was a need for at least 421 households at the base date from those living in caravans. This is broken down into the following component households:

• Households on public pitches with permanent planning permission	50
• Households on private pitches with permanent planning permission	243
• Households on pitches with temporary planning permission	0
• Households on unauthorised pitches	15
• Tolerated households	4
• Roadside households	4
• Concealed / Doubled-up households	105
Total gypsy and traveller households in caravans	421

Hidden Need

152. Hidden need takes the form of households living in bricks and mortar accommodation for whom living in bricks and mortar is an inappropriate form of housing due to a cultural aversion to bricks and mortar. As a consequence, they need to move back to a pitch and out of bricks and mortar.
153. Households living in hidden need can also contain concealed households who are also in hidden need.
154. Some households emerge from bricks and mortar. This is where a child becoming an adult wants to adopt their cultural lifestyle even if their parents are happy living in bricks and mortar.
155. The GTAA states at paragraph 5.3 that it was possible to interview 14 households in bricks and mortar.
156. The GTAA provides at paragraph 3.20 and 3.21:

“ORS apply a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan Examinations and Planning Appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards; intelligence from the stakeholder interviews; information from housing registers; and other local knowledge from stakeholders. Through this approach the GTAA endeavoured to do everything to give households living in bricks and mortar the opportunity to make their views known

As a rule, ORS do not make any assumptions on the overall needs from household in bricks and mortar based on the outcomes of any interviews that are completed, as in our experience this leads to a significant over estimate of the number of households wishing to move to a site or a yard. ORS work on the assumption that all those wishing

to move will make their views known to us based on the wide range of publicity put in place.”

157. GPS are aware from other GTAA's completed by ORS that, as a rule, they seek to shift the onus onto the households as opposed to actively engaging with the community. It should also be noted that many of the methods through which engagement is sought requires those households to be literate, which a number of gypsy and traveller households are not.

158. GPS believe that the lack of research into and engagement with households living in bricks and mortar will have led to an underestimation of the need in all areas.

159. It should be noted that ORS have previously attracted criticism for their failure to engage appropriately with Bricks and Mortar occupants. This was considered within appeal decision APP/C/16/31523763 **Bennett v Basildon District Council** (Appendix C9) where the Inspector concluded:

“To me, the level of engagement with bricks-and-mortar households represents a deficiency that casts some doubt over the 2017 GTAA's findings in need”

160. GPS uses a multiplier of 3.62 times the number of households in caravans, to establish an approximation for the number of gypsy and traveller households in housing. We use this figure as the 2011 census indicates that for every gypsy and traveller living in a caravan in the UK, three will be living in bricks and mortar.

161. GPS has identified a total of 421 gypsy and traveller households in the area living in caravans applying a multiplier of 3.62 to that figure will result in to 1,524 households in bricks and mortar.

162. Other GTAAAs have found an equivalent between 5 – 10% of the base date in hidden need. In the absence of other data, we would use 5%. This would suggest immediate hidden need to be at least **76 households**.
163. The underestimation in the GTAA will also have resulted in an underestimation in the base date numbers from which emerging households will need to be calculated. The households in hidden need should be added to the base date household numbers.

Conclusion on base date figures

165. Green Planning Studio has concluded on the information available to us that there was a need for at least 497 households at the base date (including a need from 76 households in hidden need). This is broken down into the following components:

- Households on public pitches with permanent planning permission 50
- Households on private pitches with permanent planning permission 243
- Households on pitches with temporary planning permission 0
- Households on unauthorised pitches 15
- Tolerated households 4
- Roadside households 4
- Concealed / Doubled-up households 105
- Hidden Need 76

166. Green Planning Studio stresses that the actual number of households and the actual level of need in the district will inevitably be much higher.

Emerging Need

Growth Rate

167. Growth Rate is the rate at which new family units emerge over time, either as a result of teenage children becoming adults and forming single or two person family units; a result of family breakdown, i.e. two adult families splitting to form two family units or teenage children becoming adults and moving from bricks and mortar to a pitch. This matters as it identifies the emerging need going forward from the base date. If the figure is too low then the gap between provision and demand will widen over time.
168. It is not clear from the GTAA whether household growth is considered as a result of teenage children becoming adults and forming family units, **and** the formation of family units through family breakdown. ORS have failed to consider the latter in previous GTAA's. This may have resulted in an underestimation of emerging need in the district.
169. As well as significant concerns over the immediate unmet need identified at the base date there are also concerns over the figure for family formation.
170. ORS apply a 1.5% national growth rate per annum for Gypsies and Travellers. This is then adjusted by ORS using demographic evidence.
171. The 2024 uses the following household formation rates (paragraph 7.13):
- Households meeting the planning definition – 1.50% (reduced from 1.85% in the 2022 GTAA)
 - Unknown households. – 1.50% (unchanged from 2022 GTAA)
 - Households who do not meet the planning definition – 1.70% (unchanged from 2022 GTAA)

172. Emerging need is discussed in the GTAA at Section 7. Paragraph 7.11 states the following:

“Overall, the household growth rate used for the assessment of future needs has been informed by local evidence for each local authority. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 (by travelling status).”

173. The GTAA does not specify what ‘local evidence’ has an impact on the growth rate applied.

174. Notwithstanding GPS’ concerns about the ability of ORS to undertake an assessment of whether or not someone meets the PPTS definition, ORS fail to provide the data that has allowed them to reach the above conclusions so GPS is unable to examine the appropriateness of the figures in detail.

175. The use of demographic information, obtained through interviews which is then adjusted for those not interviewed, is a perfectly valid approach, however, it is reliant on the accuracy of the number of families at the base date, as any other modelling method.

176. Further, the ORS conclusion of a starting point of population (not household) growth rate of 1.5% for unknown households is based on a model relying primarily on two inputs the total fertility rates (TFR) and an average life expectancy, but to more accurately model population growth you also need to know when women have the children on average. E.g. if the average women is having her children between the ages of 20 and 25, this would lead to a significantly higher growth rate than a situation when the average women is having her children between the ages of 25 and 30, as the generations repeat more rapidly. GPS knowledge of gypsy and travellers families across England and Wales is that generally children are being born with the mothers at a fairly young age (typically

18-25). Without a reliable input of generation repeat rate any model is likely to have a fairly low probability of being accurate.

177. For a more accurate figure in regards to household formation rates, the following factors would need to be known or modelled: the overall rate of pairing taking place each year amongst young forming households, the extent of single adult households as opposed to two adult households, the numbers of adults that were dependent, the rate at which family breakdown was occurring and the rate at which where family breakdown has taken place where a new two person household was forming.
178. In practice the actual number of households in the census data will be higher and the newly forming households per annum will also be higher.
179. ORS primarily err in looking at two different statistics (Population Growth Rate and Household Growth Rate) and drawing conclusions from one and trying to apply those conclusions to the other.

Household growth rates

180. The household growth rate is the rate at which the number of households increase. This is a net figure of household formation less household dissolution.
181. This figure is different from population growth rate. This is rate of increase in the size of population.
182. The GTAA conclusions on Household Growth are based on a failure to understand the mathematical difference between the two calculations.
183. GPS argue that to more accurately model population growth you also need to know when women have children on average, as the younger women have children on average would lead to a higher growth rate.

184. The Council erroneously consider that there are the same number of households throughout the entire age demographic defined in the gypsy and traveller population pyramid (i.e. the same number of gypsies and travellers in the older age bracket to those gypsies and travellers in the younger age bracket).
185. The number of households created 50 years ago would be significantly less than those being created now. Given historically high birth rates and the higher number of children being born per gypsy and traveller woman 50 years ago, the difference of a factor of 4 is likely to be broadly justified. It cannot be (and is not) the case that there are the same percentage of gypsies and travellers living aged 70 as there are aged 20.
186. As the proportion of adults in the population increase then the number of households per population increases. When this is changing as in the gypsy and traveller population, the household growth rate will inevitably be higher than the population growth rate.
187. A worked example of household growth rates is set out in Table 1 attached as Appendix C11. What should be drawn from this is that household growth rates should decrease over time, but as the table shows will not reach 1.5% per annum during any plan period.
188. To show the error in the ORS approach within the GTAA – Table 2 (Appendix C12) shows the effect of modelling population growth rates and household growth rates of 1.5%. The result is a significant rise in the number of adults per household, something which is clearly against trend and is unsupported by any evidence.
189. ORS's assumption that there is the same rate of households forming and population growth cannot be correct.
190. GPS accept that demographic information, obtained through interviews which is then adjusted for those not interviewed, is a perfectly valid approach, however, it is reliant on the accuracy of the number of families at the base date, as any other modelling method.

191. As a result of the modelling concerns to for the unknown households and issues with the GTAA's robustness, GPS recommend the following 5-year household formation rates be applied to all categories.

- 2024 - 2029 7.80%
- 2029 - 2031 5.61%

192. These are obtained by multiplying each 5-year model figures by a factor of 1.05 to account for the increasing trend towards fewer adults per households, primarily as a function of relationship breakdown. These are calculated with reference to the 2011 census, shortly and likely before the hearing these figures will be recalculated with reference to the 2021 Census.

193. Applying the above figures, the number of emerging families in the district based on 484 households within district at the base date the area would equate to the following additional households being formed:

- 2024 – 2028 39 (total of 536 pitches needed)
- 2029 - 2031 30 (total of 566 pitches needed)

194. It is noted that GPS' methodology to calculate household growth rate cannot be modelled beyond 2031. However, it would be reasonable to assume growth at a broadly similar rate to the previous 5-year period so it would be prudent to assume at least 50 more pitches will be needed to 2033 (10 per year). Therefore, there should be 586 pitches in the district by 2033.

SUPPLY

Authorised pitches at the base date

195. The GTAA identifies 352 permanent authorised pitches within the District at figure 5 (page 29).

196. As detailed above, this is reduced to 293 pitches taking into permission misinterpretation, permissions expiring and occupation of pitches by non-travellers.

197. At the base date therefore, there would have been a need for 243 additional pitches from 2024-28.

Supply since the base date

198. GPS are aware of 20 pitches having been granted permanent planning permission since the base date of the GTAA:

POST BASE DATE (1 April 2024)	
Clackhill Yard	1
Charlie's Place	4
Open View	3
Dreamlea	2
The Stables, Mapperton	10
TOTAL	20

199. This takes the total supply to **313 pitches**.

Permissions expired since the base date

200. GPS are aware of at least one planning permission relied upon within the GTAA 2024 that is now likely to have expired due to non-implementation.

201. Land West of Penn Farm was identified in the GTAA as having planning permission for 3 pitches.

202. Planning permission was granted on the 7th April 2022 for the '*Provision of 3 Gypsy and Traveller pitches and associated works including day rooms, parking, turning, septic tank and landscaping*'.
203. The GTAA notes that the site was undeveloped. The site remains undeveloped, with the planning permission having expired on the 7th April 2025. This results in the reduction of 3 pitches from the supply of authorised sites.
204. The total supply of pitches in the district is there **310 pitches**.
205. **This would result in a need for an additional 226 pitches from 2024 to 2028, and a further 50 pitches required from 2029-2033.**

Overall Conclusion

206. The 2024 GTAA cannot be considered a robust evidence base to inform the LPA in their policy-making.
207. There are a number of errors identified in the methodology of the 2024 GTAA which will have resulted in an underestimation in the level of need for pitches in the district.
208. In recording the number of households at the base date, the GTAA fails to appropriately consider concealed household, hidden need, doubled up households and overcrowding. There are also potential inaccuracies in recording the number of permanent pitches in the district at the base date. These will have resulted in the recorded base data figure being too low. This will have also resulted in the calculation of future family growth being too low.
209. Adjusting the figures in accordance with the conclusions above, **Green Planning Studio has concluded that by 2033 there should be a minimum of 586 authorised permanent pitches in Wiltshire with 536 of those pitches needed by 2028.**
210. Making deductions for pitches occupied by non travellers and on the assumption that the non-implemented/undeveloped pitches remain capable of implementation/available supply there were 293 authorised permanent pitches at the base date, **giving an immediate need of 243 pitches at the base date.**
211. Since the base date 20 pitches have been granted planning permission and 3 pitches have lapsed, giving a further supply of 17 pitches. This gives a need for an additional 226 to 2028.
212. **A further 50 pitches will be required from 2029 – 2033.**
213. The five-year supply figure (2025 – 2029) is an additional 236 pitches.

214. These figures are however an estimated need and have been arrived at on the information available.

215. As the LPA are working to too low a need figure it is concluded that there is currently no prospect that the LPA will meet the need for sites in Wiltshire.

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June 2025

Appendices C

1. Wiltshire Gypsy and Traveller Accommodation Assessment dated June 2024 by ORS.
2. ODPM/DCLG Counts of Gypsy Caravans for Wiltshire, January 2024
3. ODPM/DCLG Counts of Gypsy Caravans for Wiltshire July 2024
4. Wiltshire Gypsy and Traveller Accommodation Assessment 2022 by ORS.
5. 2021 Census data
6. Gypsy and Traveller population in England and the 2011 Census: An Irish Traveller Movement in Britain Report, August 2013
7. Office for National Statistics: What does the 2011 Census tell us about the characteristics of Gypsy or Irish Travellers in England and Wales, January 2014
8. Planning Resource – “A government consultation on Gypsies and Travellers is too focused on stronger enforcement at the expense of boosting site supply, according to practitioners” 12th April 2018
9. Appeal decision: APP/C/16/31523763 *Bennett v Basildon District Council* dated 17th January 2018
10. Court of Appeal Judgement: *Lisa Smith v SSLUHC & North West Leicestershire District Council* [2021] EWHC 1650, dated 31st October 2022.
11. GPS Table 1 Household Growth rates
12. GPS Table 2
13. Christian Place Appeal Decision APP/J391/A/00/1052914 dated 1st September 2004.
14. Melbourne View Planning Permission 14/08266/VAR dated 3rd December 2014.
15. ORS Statement for appeal APP/Y3940/W/19/3229836 dated May 2022.
16. Land adjacent B4040 - 16/05720/FUL discharge of conditions letter dated 22 June 2021.
17. Land adjacent B4040 - Officer's report for PL/2021/06991.
18. Land South of Old Farm Planning permission 20/05488/FUL dated 23 December 2020.