

August 2026

Our Ref: JG.26

Development Management,
Wiltshire Council,
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Dear Mx/ Madam/ Sir,

Application for the change of use of land to a Gypsy and Traveller site and associated works including the stationing of a residential lorry as 1 no mobile home, and demolition of stables and the erection of a day room for use as ancillary storage, utility room and PV installation (partially retrospective)

Land SW of B4069, The Banks, Lyneham, Chippenham SN15 4EZ (x:400514, y:179901)

1. Please find enclosed an application on behalf of Mr J Grisley. The purpose of this covering letter is to provide a description and justification of the proposals.
 2. This application comprises:
 - JG.01 - Application Form and ownership certificate
 - JG.02 - Planning Statement (this document)
 - JG.03 - SLP
 - JG.04 - Proposed Site Layout
 - JG.05 - Elevations and Floor Plans
 - JG.06 - Landscape Design Statement
 - JG.07 - Cil 1 form
 - JG.08 - Existing Site Layout
 - JG.09 - PEA
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- JG.10 - Highways Report
- JG.11a&b - Appeal Decision Letters

Site description

3. The application site comprises an irregular parcel of land, measuring c.0.19ha. The site is located to the southwest of the B4069, c. 0.5 mile north west of Lyneham.
4. On site is an existing stable block and area of hardstanding. The site is bounded by hedgerows and trees on all sides and is well screened from the road. On all sides lie agricultural / equestrian fields.
5. The site is located in Floodzone 1. It is situated in the open countryside for planning purposes.

The application proposal

6. The proposal is materially different from the previous submission and addresses the reasons for refusal in the following ways:
 - a. Additional evidence regarding impact on highway safety
 - b. Amendment to the access
 - c. Amendment to the site layout
 - d. Additional ecology information
 - e. Reference to relevant appeal decision letters re. visual impact

Gypsy/Traveller pitches

7. The proposal is for a Gypsy / Traveller site comprising 1 no. mobile home, 1 touring caravan and dayroom / utility / storage building
8. The pitch will be occupied by Gypsies / Travellers who fulfil the definition of Gypsies and Travellers in *Annex B of NPPF 2026*.

Access

9. There is an existing access onto the B4069.

Landscaping

10. The site is bounded on all sides by mature trees and hedgerows. However, additional landscaping proposals have been included to safeguard the character of the local countryside, provide additional screening, enhance biodiversity and to ensure a high level of amenity for the residents.
11. The proposal includes a Landscape Design Statement (JG.06), which sets out the landscaping scheme and assesses landscape impact.

Relevant development plan policy & other material considerations

The adopted plan

12. The Wiltshire Local Plan is comprised of saved policies from the District Local Plans and Wiltshire Core Strategy, adopted 20th January 2015

Emerging Plan

13. Emerging policy includes Wiltshire Gypsy and Traveller Development Plan Document (DPD) pre-submission draft (Regulation 19), which was published in August 2024.
14. The emerging document puts forward allocations for 84 pitches.

NPPF 2026

15. The NPPF sets out the Government's approach to sustainable development.
16. Policy S5 - development in the countryside and H012 - Gypsy and Traveller sites are of direct importance.

Unmet need for sites

17. The most up-to-date assessment of Gypsy Traveller accommodation need in Wiltshire is the June 2024 GTAA, which identified a significant level of unmet need in the area.
 18. The revised NPPF 2026 incorporates the PPTS definition of Gypsy and Traveller as amended in December 2024. The Wiltshire GTAA was published prior to the 2024 change in definition. As such the separation of those that meet the definition and those that do not is out of date.
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19. The assessment identifies a total unmet need of 289 pitches for the plan period 2024 - 2038 (those meeting: 182, and those not meeting: 70 the definition and unknown: 37).
20. It is important to note that the changes to the definition of Gypsy / Traveller are likely to result in an increase in identified need across the county, particularly in areas where a large proportion of the Gypsy / Traveller community currently resides in Bricks and Mortar.

Human Rights Act 1998

21. Article 8 of the Human Rights Act 1998 is of relevance to the case as failure to grant permission would constitute an interference with home and family life.

THE MAIN ISSUES

Introduction

22. Our position is that the additional information provided within the highway statement (JG.10) and the PEA (JG.09) and the minor amendment to the proposed site layout (JG.04v.2) address the reasons for refusal and the proposal can be seen to be consistent with the development plan and granted consent accordingly.
23. If the LPA is in disagreement on this matter, the significant level of unmet need in the area and the personal circumstances of the applicant are material considerations which weigh significantly in favour of the application.

Reasons for Refusal (RfR)

24. The reasons for refusal have been copied below in italics:

- 1. The proposal would fail to satisfy criteria ii), vi) and viii) of Core Policy 47 of the Wiltshire Core Strategy in meeting the needs of gypsies and travellers. As a result, the principle of the proposed development would fail to be supported by the exceptional policies and would be in conflict with Core Policies 1, 2 and 19 of the Wiltshire Core Strategy. As such, the principle of development is contrary to the development plan as a whole.*
 - 2. The proposed development, by reason of its scale of change of use to residential land, would result in a disproportionate and excessive encroachment into the open countryside with a domestic use of a substantial area of land in the countryside. It fails to recognise the intrinsic character and beauty of the countryside and would result in permanent and significant harm to the landscape character and visual amenity of the area. As such, the proposal is contrary to paragraphs 135 and 187 of the National Planning Policy Framework (NPPF), and Core Policies 51 and 57 of the Wiltshire Core Strategy.*
 - 3. The proposed development, by reason of its siting, layout and visibility, fails to achieve a safe and satisfactory standard of access. Any increased use made of the existing sub-standard access generated by the proposed development would be prejudicial to road safety. As such, the proposal is contrary to Core Policies 57(xiv), 60 and 61(ii) of the Wiltshire Core Strategy and Paragraphs 115 & 116 of the National Planning Policy Framework (NPPF).*
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4. The application fails to provide sufficient information to demonstrate that the BNG objective can be met and that the BGP condition is capable of being discharged. The proposal is therefore contrary to the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

25. Reason for refusal 1 refers to the three criteria of Wiltshire Core Policy 47 that relate to safe access (ii) and visual impact (vi), including appropriate scale (viii). As such there is cross over with RfR 2 - visual impact / encroachment into the open countryside and RfR 3 - safe and satisfactory standard of access.

26. RfR 4 relates to BNG and the requirements of *Schedule 7A of the Town and Country Planning Act 1990*. This has since been amended. As the application is retrospective and the site area is under 0.2 ha the proposal is exempt from BNG requirements.

27. As such the 2 main issues raised in the RfR are as follows:

- a. Visual impact, including encroachment into the countryside and appropriate scale and character.
- b. Safe and satisfactory access / highway safety

28. These 2 main issues are discussed below, followed by the material considerations in favour of the application.

NPPF 2026

29. At the outset it should be emphasised that NPPF has been significantly revised since the previous refusal as this alters the policy bar by which the application should be assessed.

30. Annex A of NPPF sets out that *“Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight”*

31. As such, it is crucial to emphasise that NPPF 2026 explicitly recognises that Gypsy and Traveller sites are acceptable in the open countryside. The relevant sections have been copied below.

S5: Principle of development outside settlements

*1. Only certain forms of development should be approved outside settlements, as set out in the following list. **These should be approved,***

unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

g. Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12.

For completeness the relevant parts of HO12 set out as follows:

1. Development proposals for traveller sites should be located so that they:

a. Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate; and

b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.

2. When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.

32. The language shift between PPTS and NPPF 2026 is notable. While PPTS tacitly acknowledged that some sites would be located outside of the settlement boundary, seeking to *very strictly limit sites away from existing settlements*, NPPF 2026 explicitly recognises that rural locations are likely to be appropriate.

33. Not only are countryside locations anticipated, but, directly related to the RfR, scale is no longer referenced.

34. For completeness, encroachment into the countryside is only referred to with relation to the Green Belt.

Visual Impact

35. Criteria vi and viii of Wiltshire Core Policy 47 *Meeting the needs of Gypsies and Travellers* are referenced in the RFR and relate to visual impact. Criteria vi sets out as follows:

vi. It will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.

36. Criteria viii also relates to visual impact, specifically the scale of the development, stating as follows:

viii. Development of the site should be appropriate to the scale and character of its surroundings and existing nearby settlements.

37. The RfR also cites *disproportionate and excessive encroachment into the open countryside*. All points have been addressed below.

38. As set out above, NPPF 2026 explicitly recognises that sites may be located in the open countryside and away from settlements and no longer references scale / domination.

39. In this context, it is our view that a carefully designed single pitch Traveller site cannot be seen to be '*disproportionate and excessive encroachment into the open countryside*'.

40. However, the site layout has been carefully designed and includes significant landscaping measures and a landscape Design Statement to ensure the character and appearance of the landscape is protected.

41. It is notable that the scheme has been amended to ensure that residential paraphernalia is contained within a smaller area, thereby further minimising any visual impact and ensuring the south extent of the site maintains a visually rural character.

42. Whilst the redline boundary cannot be reduced significantly due to the landscape proposals included, the amended site layout has removed the gateway between the hardstanding area where the residential use is focused and the improved paddock area. This will ensure that residential paraphernalia does not spread into the further extents of the site and therefore further minimises any visual impact.
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43. The extent of the residential amenity land could be secured through an appropriately worded condition should the LPA deem it necessary.
44. The dayroom has been designed to follow the vernacular of the stables it is replacing and thereby remain in keeping with the rural character of the area and the surrounding land uses.
45. It is proposed that the residential lorry is repositioned and repainted. The landscape design statement (JG.06) sets out that existing hardstanding by the stables is extended and the lorry re-orientated and re-located at this lower and less visible position.
46. Finally, it should be emphasised that Traveller sites are not an inherently discordant feature in the countryside and accordingly, they do not need to be completely screened from public vantage points.
47. This view is supported by several appeal decisions as set out below, which whilst identifying some landscape harm, still allow the appeal.
48. In an appeal decision in Warwickshire (attachment JG.11a) the Inspector found at paragraph 15 that:

These [local plan] policies and PPTS recognise that traveller sites can be located in rural areas, they can be a common sight in the countryside, and they are not intrinsically discordant features.

49. Similarly, in an appeal decision letter for a site in Tewkesbury (attachment JG.11b) the Inspector found at paragraph 7 that:

Gypsy and traveller sites are a common sight in the countryside and are not intrinsically discordant or out of character.

50. For completeness, the OR for the previous application set out that the proposal would not impact the amenity of neighbouring properties, stating as follows:

With regards to the amenity of neighbouring properties, due to the distance from neighbouring properties, it is not considered that the proposal would result in any adverse impacts on the amenity of neighbouring properties.

Highway Safety

51. The impact of the proposal on highway safety is addressed in a separate submission (JG.10). For completeness criteria ii of Wiltshire Core Policy 47

Meeting the needs of Gypsies and Traveller has been reproduced below and annotated with a summary of the findings.

ii It is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users.

52. There is an existing vehicular access to the site, improvements to the access are proposed and the attached highways report (JG.10) sets out that the use of the access for a single pitch Gypsy / Traveller site will not have an unacceptable impact on highway safety.

Emerging Policy

53. The emerging Gypsy and Traveller DPD sets out new criteria based policy against which windfall sites can be assessed. This sets out slightly more onerous requirements than the extant Core Policy 47, but none the less covers broadly similar issues.
54. Given the above and that DPD has not yet gone to examination the criteria have not been directly addressed here, however, it is considered that the proposal could meet them.
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Material Considerations

Unmet need for Traveller sites

55. As set out above, there is a significant unmet need for sites in Wiltshire. This is a factor that should be afforded significant weight.
56. The most recent GTAA refers to the previous planning definition (as set out in PPTS 2024) and as such even though it has only recently been compiled, it may be considered out of date. However, given the amended definition now includes those with a 'cultural preference' it is likely that the combined total of identified unmet need provides an approximate guide, though in our view this should be treated as a minimum.
57. It is important to note that NPPF 2026 establishes that where there is an evidenced unmet need for Gypsy and Traveller sites the presumption in favour of sustainable development as set out in S5 applies and the development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects

Lack of alternative sites

58. In R (on the application of Doncaster Metropolitan Borough Council) v First Secretary of State and another¹ Bartlett J agreed with the approach of a planning inspector who found that:

...the absence of any alternative, available, affordable, acceptable and suitable land to which the site occupants could move has to be afforded considerable weight in favour of the development.

59. In this case there is an acknowledged lack of alternative sites in Wiltshire and this attracts significant weight in favour of the proposal.
60. The emerging DPD sets out at paragraph 1.11 as follows:
There has been an open call for sites during the preparation of the Plan, and this has been supplemented by a targeted approach to landowners requesting them to put forward their land for consideration in 2023. Despite these efforts only limited sites have been put forward by landowners for consideration through the Plan

¹ [2007] EWHC 1034 (Admin)

Personal Circumstances

61. The Traveller status and personal circumstances of the applicant are set out in a separate confidential document (CONF01).
62. Personal circumstances are a material consideration in favour of the application and need to be assessed in the context of the Human Rights Act.

Conclusions

63. In our view the proposed Gypsy / Traveller site is compliant with the requirements of the development plan and as such permission can be granted.
64. Please do not hesitate to get in touch should you require any further information.

Yours faithfully,

