



Appeal Decision

Hearing held on 22 July 2026

Site visit made on 22 July 2026

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2026

Appeal Ref: APP/P0119/C/26/3378286

Land At Northwick Road, Pilning, Bristol BS35 4HA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended)(the Act).
 - The appeal is made by Mr Michael McDonagh against an enforcement notice issued by South Gloucestershire Council.
 - The notice was issued on 12 February 2026.
 - The breach of planning control as alleged in the notice is: Without planning permission, the change of use of land to the stationing of residential caravans and the associated operational development including the laying of hardcore, erection of buildings and fencing.
 - The requirements of the notice are to:
 1. Cease the residential use of the land;
 2. Cease the use of the land for the siting of caravans and mobile homes for residential use;
 3. Remove from the land all caravans and mobile homes, and their associated facilities/utilities (including but not exclusively water pipes and electricity lines);
 4. Remove all the buildings and associated materials from the land erected in association with the use.
 5. Remove all fencing and associated materials from the land erected in association with the use.
 6. Remove all engineering operations facilitating the use and their associated materials from the land (including but not exclusively - all hardcore/hardstandings laid, and the foul drainage removal systems);
 7. Restore the land to its condition before the breach took place.
 - The period for compliance with the requirements is: 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (c), (e), (f), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is allowed in part and planning permission is granted in part on the application deemed to have been made under s177(5) of the 1990 Act as amended, insofar as it relates to the change of use of land to the stationing of 6 residential caravans and the associated operational development including the laying of hardcore, erection of buildings and fencing on 'Area 1' and 'Area 2' as indicated approximately on the additional plan attached to this decision and subject to the schedule of conditions at the end of this decision, on Land At Northwick Road, Pilning, Bristol BS35 4HA.

The appeal is dismissed and the enforcement notice is upheld and planning permission is refused under s177(5) of the 1990 Act as amended, in so far as it relates to the change of use of the land outlined in red on the notice plan but outside of 'Area 1' and 'Area 2' as indicated on the additional plan, for the stationing of residential caravans and the associated operational development including the laying of hardcore, erection of buildings and fencing.

Preliminary Matters

2. Different post-codes have been used to identify the address of the appeal site on various documents. It was clarified at the hearing that the post-code used on the plan attached to the notice is correct and so I have used that above.
3. Prior to the hearing, I issued an agenda with some comments included about points that needed to be addressed. That included a request for a Statement of Common Ground (SoCG) relating to the need and supply of sites, in this case specifically, Gypsy and Traveller sites. When I opened the hearing I was told that the Council and the appellant had been discussing these matters. An adjournment was requested by both parties to enable the discussions to continue and so I agreed to a short break in the proceedings.
4. When the parties returned, I was informed that in part due to the conclusions of the planning inspector in another case, which I return to below, the Council would no longer resist planning permission being given for a limited number of caravan plots on the land covered by the notice. Based on the Council's agreement to that, the appellant also confirmed that their appeal on all grounds other than (a) and the deemed planning application, are withdrawn. The parties had also discussed an agreed list of planning conditions which I also return to below.

Appeal on ground (a)

5. The agenda had included what I considered to be the main issues based upon the reasons for issuing the notice. It was confirmed at the hearing that there were no representations from third parties as a result of the issuing of the notice and the publicity for the appeal. No third parties were present at the hearing.
6. The main issues are normally based upon the matters in dispute which in this case have reduced given the request for me to consider a reduced development. I am satisfied that some of the main issues that I had initially identified can in principle be dealt with by way of imposing planning conditions. Significant in this case is that the Council now accepts the conclusions of the planning Inspector in a recent other case concerning a site in Pilning (Ref 6004905) with respect to the needs for and supply of gypsy and traveller sites considering the advice within the Planning Policy for Traveller Sites (PPTS) issued in December 2024.
7. The Council considers that 6 caravan pitches would be acceptable on the basis that 3 are on an area of land in a similar position to the application site for a previous planning permission P20/21006/F. That is referred to as 'Area 1' in the appellant's representations in this decision. The further 3 would then be limited to an area of land in the north-west part of the site, 'Area 2' as referenced in the appellant's submissions. These areas are shown on the additional plan now attached to this notice. Both parties are in agreement that I should only consider the deemed planning application on this basis, for part of the development as alleged on the notice.
8. There remains a main issue which requires more detailed consideration which is:-
 - Whether the development represents inappropriate development in the Green Belt and if so, whether there are material considerations sufficient to clearly outweigh the harm to the Green Belt, and any other harm, so as comprise the very special circumstances necessary to justify a grant of planning permission

in the terms sought.

Reasons

9. The appeal site is located close to the north of the settlement of Pilning on the corner of Bank Road and Northwick Road. To the immediate northwest, there is an existing authorised single Gypsy caravan site. On the southern side of the junction is another authorised site for 6 pitches. The site as a whole covers a broad area which stretches out alongside the road and into the surrounding rural area. The site on the northern edge is generally higher than the adjoining fields but a similar level as the adjoining road. The appeal site is within the Green Belt on the edge of the settlement where it adjoins open countryside.
10. The South Gloucestershire Local Plan, Core Strategy 2006-2027, adopted December 2013 (CS) Policy CS5 states that development in the Green Belt, other than that covered by its other more detailed requirements, will need to comply with the provisions of the National Planning Policy Framework (the Framework). The PPTS seeks to promote the provision of private Gypsy and Traveller sites and it requires local authorities to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against those targets. The PPTS also explains that sites are inappropriate development unless the exceptions set out in Chapter 13 of the Framework apply. Those exceptions are in paragraphs 154 and 155 of the Framework.
11. Looking at the Framework at paragraph 154, given that there has been previous planning enforcement action that sought the cessation of its use for the stationing of residential caravans, relating to the same extent of land as the current notice, much of it cannot be considered as previously developed within the meaning of paragraph 154(g). That is because the Framework definition excludes agricultural land which would seem to be the lawful use of most of the site area. Although planning permission was given for the use of a very small part of the site at 'Area 1' (P20/21006/F and 22/06963/F also applies) most of the site area is land outside of that application site boundary. Although evidence has been submitted about whether that permission was commenced in accordance with the permission, I no longer have an appeal ground to consider on that matter and I do not have a Lawful Development Certificate to indicate whether or not that permission remains capable of further implementation.
12. Paragraph 155 of the Framework states that development should not be regarded as inappropriate however if all of a number of bullet points (a) to (d) are met. Amongst other things, homes should not be regarded as inappropriate development: (a) where it would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; and (b) there is a demonstrable unmet need for the type of development proposed (including a lack of 5 year supply of deliverable traveller sites); (c) the development would be in a sustainable location; and (d) the development meets the 'Golden rules' requirements in paragraphs 156 to 157 which do not apply in this case.

Grey belt

13. The site is not previously developed land for reasons I explain above. However, the definition of Grey Belt in the Framework also states that it can also be land which "does not strongly contribute to any of the purposes in (a), (b) or (d) of

paragraph 143.

14. There are 2 areas of land that I am being asked to consider by both main parties, rather than the whole of the land, 'Area 1' and 'Area 2'. These are proposed to be separated by a substantial undeveloped area of land. 'Area 1' would be larger than the site for the previous planning permission in that position but is positioned directly opposite another approved site. 'Area 2' relates closely to the adjoining area known as 'The Plaza'. Both sites are partly contained within the curve of the road that defines the northern edge of Pilning. Although they are beyond the existing settlement and within the countryside this would result in a limited degree of outward expansion. The development would be a small-scale addition occupying land that is visually and physically well-related to existing caravan sites and the built form of the settlement.
15. Given the modest scale of the development with 6 pitches divided between the 2 areas and the substantial areas of open land that would remain between the areas, any harm to the Green Belt purpose of checking the unrestricted sprawl of large built-up areas and preventing neighbouring towns merging, would be very limited. This would not amount to a strong contribution to purpose set out in paragraph 143 (a) and (b) of the Framework. Other than its position in the Green Belt, the site is not subject to any of the other designations referred to in footnote 7 of the Framework that would provide a strong reason for refusing or restricting development. As such, I agree with the main parties that these small parts of the overall appeal site can be considered as Grey Belt as defined by the Framework.

Need

16. The Council has accepted the reasoning of the inspector in the recent appeal case (Ref 6004905) within a signed SOCG. In that case the same background evidence was submitted including the Council's Gypsy and Traveller Accommodation Assessment Final Report dated November 2023 (GTAA) as well as South Gloucestershire Local Plan Topic Paper on Gypsies, Travellers and Travelling Showpeople October 2025 (Topic Paper).
17. In the SOCG therefore it is agreed that the Table 1 of the Topic Paper sets out the Council's figures on the need for more pitches. The October 2025 need figures therefore establish a 5 year supply target which is reduced from the GTAA baseline figures planning permissions given in the interim period. The current 5 year supply target was accepted as being 58 pitches. In that appeal decision, the inspector considered that the supply figure based upon planning permissions granted since October 2025, was 9 pitches. Other proposed allocations were not subject to planning approvals and are agreed, through the SOCG as not being deliverable as defined under footnote 4 of the PPTS. It is therefore agreed that a 5 year supply of pitches cannot be demonstrated.

Sustainability of the location

18. For considering the sustainability of a location for such sites, paragraph 155 of the Framework cross refers to paragraph 13 of the PPTS. This requires that traveller sites are sustainable economically, socially and environmentally.
19. The Council does not dispute that the site is close to a range of facilities within the nearby settlement. At my site visit, I was taken into the village to see the facilities seeing much of it on the journey as well. Along part of the boundary of the appeal

site, closest to 'Area 2', there is a footpath alongside the road. There is a footpath on the opposite side of the road from 'Area 1'. These footpaths link with another leading into the core of Pilning which contains a good range of commercial and community facilities as well as public transport links. Both areas are therefore accessible to a range of facilities including a primary school, surgeries, shops, a restaurant and public houses as well as means of travelling elsewhere without reliance on private vehicles.

20. There are facilities nearby that enable the residents of the site to socialise with one another as well as with other people within and outside of their community. Additional residents in this location in turn will provide additional custom for the businesses in and near to the settlement.

21. The 2 areas are, in the terms set out in the PPTS, sustainable.

Conclusion on the main issue

22. With respect to the advice in the Framework, in particular paragraph 155, and therefore this main issue, the development is not inappropriate development in the Green Belt. It utilises grey belt land, not fundamentally undermining the purposes of the remaining Green Belt, there is a demonstrable unmet need for the development and this is a sustainable location. This therefore complies with CS Policy CS5 by reason of complying also with the Framework. As such, and in the absence of other objections, I consider that the development proposed is in accordance with the development plan read as a whole, and it follows that planning permission should be granted.

Conditions

23. Draft planning conditions were discussed at the hearing. The Framework confirms that planning conditions should be kept to a minimum. They should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

24. Firstly, the planning permission is being granted for people who comply with the definition of Gypsies and Travellers as defined within the glossary to the PPTS. Without that restriction, planning permission may not have been acceptable. It was agreed that given the general need for such sites, it is not necessary to limit occupation to individuals or specific families.

25. Additional to what was discussed, within the suggested condition restricting the number of pitches to 6, I have added a restriction that the planning permission relates only to the 2 areas 'Area 1' and 'Area 2' on the additional plan attached to this decision. The enforcement notice has also been upheld with respect to the land outside of these 2 areas. Furthermore, not more than 3 pitches are allowed within each area.

26. As I was being asked to consider part of the alleged development, the sensitivity in terms of the effects on the landscape, character and appearance are less, subject to a condition requiring the submission of a 'site development scheme'. That shall include details of how the site is proposed for completion including its layout, boundary treatment, drainage, lighting, landscaping as well as a timetable for its implementation. If the terms of the condition are not complied with, the use shall cease with physical manifestations of it being removed. This is necessary

because the development has already been commenced and so a pre-commencement condition would not be effective in requiring the submission of further details. An additional condition will prevent construction of other means of enclosure that would normally not require planning permission, otherwise the development scheme could be undermined.

27. A similarly restrictive condition is attached to require details of ground contamination. At the hearing this subject was discussed and I was shown that the surfacing is incomplete on site. A barrier between layers of material was drawn to my attention. This condition will require details of what has already been undertaken as well as any further measures necessary to ensure that contamination is identified and treated to ensure the wellbeing of residents.
28. Another condition to prevent business use was discussed and agreed by the appellant. I did raise whether this would be reasonable given the nature of the work that the occupants may undertake. The appellant was content that it would be acceptable to them. Along with the other details within the site development scheme, these should prevent effects by reason of materials and goods being stored, thereby harming the character and appearance of the area. A further condition preventing large commercial vehicles is also reasonable preventing further visual impacts not be overcome through the site development scheme.

Conclusion

29. For the reasons given above I conclude that the appeal should succeed in part only. I will grant planning permission for the change of use of land to the stationing of 6 residential caravans and the associated operational development including the laying of hardcore, erection of buildings and fencing within 'Area 1' and 'Area 2' as indicated approximately on the additional plan attached to this decision. Otherwise, I will uphold the notice and refuse to grant planning permission in respect of the change of use of the land outlined in red on the notice plan but outside of 'Area 1' and 'Area 2' as indicated on the additional plan, for the stationing of residential caravans and the associated operational development including the laying of hardcore, erection of buildings and fencing. The requirements of the notice will cease to have effect so far as inconsistent with the planning permission which I will grant, by virtue of s180 of the Act.

Andy Harwood

INSPECTOR



Additional Plan

This is the plan referred to in the enforcement notice appeal decision

by Andy Harwood CMS MSc MRTPI

Land At Northwick Road, Pilning, Bristol BS35 4HA

Appeal Ref: APP/P0119/C/26/3378286



Schedule of conditions:

- 1 The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites 2024 (or its equivalent in replacement national policy).
- 2 This planning permission only relates to the 2 areas outlined in blue on the 'Additional Plan' attached to this decision which are labelled 'Area 1' and 'Area 2'. There shall be no more than 3 pitches on 'Area 1' and no more than 3 pitches on 'Area 2' a maximum total of 6 pitches. No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed on each pitch at any time, of which no more than 1 shall be a static caravan.
- 3 The residential use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed and the land restored to its condition before the development took place within **3 months** of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - (i) Within **3 months** of the date of this decision a scheme shall be submitted to and for the written approval of the local planning authority (hereafter referred to as the 'site development scheme') including details for:
 - (a) the internal layout of the site including the extent of the residential pitches, the location of the caravans, vehicle parking, any buildings, hardstandings and the elevations of any day rooms;
 - (b) all boundary treatments and all other means of enclosure (including internal sub-division);
 - (c) the means of foul and surface water drainage of the site;
 - (d) proposed and existing external lighting on the boundary of and within the site;
 - (e) hard and soft landscaping and screen planting including details of species, plant sizes and proposed numbers, densities and details of a schedule of maintenance for a period of 5 years;
 - (f) a timetable for implementation of the site development scheme.
 - ii) If within **11 months** of the date of this decision the local planning authority refuse to approve the site development scheme or fail to give a decision within the prescribed period, an appeal shall have been made to the Secretary of State.
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.
 - iv) The approved site development scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, they shall be replaced in the next planting season with others of similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 4 The residential use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed and the land restored to its condition before the development took place within **3 months** of the date of failure to meet the requirement set out in (i) to (iv) below:

(i) Within **3 months** of the date of this decision a scheme (hereafter referred to as the 'remediation scheme') with details of any ground contamination, an explanation of what works have already undertaken, any additional remediation necessary to overcome any harmful effects to the health of people occupying the site and a timetable for implementation of the remediation scheme, shall be submitted to and for the written approval of the local planning authority;

ii) If within **11 months** of the date of this decision the local planning authority refuse to approve the remediation scheme or fail to give a decision within the prescribed period, an appeal shall have been made to the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted remediation scheme shall have been approved by the Secretary of State.

iv) The approved remediation scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 5 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 6 No commercial, industrial or business activities, including the storage of materials and goods, shall take place on any part of the site.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within or around the site, other than have been provided for by the approved site development scheme, the subject of condition 3.

APPEARANCES:

FOR THE APPELLANT:

Dr Angus Murdock MRTPI	Planning consultant
Michael McDonagh	The Appellant
Margaret McDonagh	Resident of the site
James McDonagh	Resident of the site

FOR THE LOCAL PLANNING AUTHORITY:

Aaron Bush	Principal Enforcement Planning Officer
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DOCUMENTS:

1. Statement of Common Ground agreed by both parties at the hearing.
2. Email trail regarding surfacing material already implemented at the site.
3. Council plan proposed to supplement the enforcement notice plan.
4. Planning conditions agreed by the parties and discussed at the hearing.