



The Planning Inspectorate

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Gypsies and Travellers - Appeals



Our Purpose

We deal with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework. We share our expertise with communities, businesses, and local and national governments to enable good planning outcomes.



Our Vision (2021–25)

To provide our customers with **high quality, timely and efficient services** that support the nation's recovery from the COVID-19 pandemic by engaging, empowering and equipping our workforce and by delivering ambitious policy changes.



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Operational Delivery

The Covid-19 pandemic brought a halt to Planning Inspectorate physical events such as site visits and hearings.

Event Programming going forward.



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Framing the Notice – the allegation

Remember this could be the basis for any future appeal.

Describing the Use of Land:

- Material change of use to gypsy and traveller caravan Site
- Is it a Mixed Use?

Operational Development - is it facilitating the material change of use? (use of word 'and')

Breach of Condition(s)



Framing the Notice – the requirements

Beware s173(11) – under enforcement!

Do the requirements match the allegation?

Require the use of land to cease as well as caravans and any operational development / other works to be removed.



Common Main Issues in appeals concerning gypsy and traveller sites

- Green Belt
- Character and Appearance
- Proximity to services and facilities
- Whether existing or intended occupiers meet PPTS status
- Need for gypsy and traveller accommodation
- Failure of Policy
- Personal Circumstances

Issues to consider when issuing an Enforcement Notice



Common Main Issues – PPTS definition

Ground (a) – what is the planning permission that is sought?
MCU to gypsy and traveller caravan site?

The allegation is the starting point – is the site suitable for a gypsy and traveller caravan site?

- What do relevant policies in the development plan say?
- Do policies distinguish between a site for occupiers meeting the definition and those that don't.
- Where will traveller sites be supported? Where are existing sites?



Common Main Issues – Need for gypsy and traveller accommodation

Assessments of Need and Supply of traveller sites

- Is it still up to date?
- Have sites been delivered as anticipated?
- Have any circumstances changed that might be relevant i.e. site closed / no longer available.
- Where are the needs of those not meeting the PPTS definition being assessed and how are they being met? / unknowns?
- Are sites included in the supply that are currently occupied by gypsies and travellers not meeting the definition – what effect might this have on provision?



Common Main Issues – Personal Circumstances

What are the particular circumstances of the site occupiers?

- Who is occupying the site?
- Why are they in personal need of a settled base?
- What alternatives would be available to them following compliance with the notice and when?
- What might be the best interests of any children on site?



Thinking ahead to a potential appeal

Draft the delegated / committee report with an appeal in mind

Keep talking to agents to narrow issues

Take advice from Gypsy Liaison Officers

Keep the evidence to support your case focussed

If relying on Intentional Unauthorised Development - explain why & consider appropriate weight.



What is Helpful to Inspector

Statements of Common / Un- Common ground can be particularly helpful

If PPTS status / personal circumstances / best interests of child are not disputed say so (address in initial report).

Set out changes since any needs assessment.

Set out where differences lie in relation to need and supply of sites.

Combined procedure – WR/H/LI



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