
Appeal Decision

Hearing held on 16 June 2026

Site visit made on 16 June 2026

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2026

Appeal Ref: 6004905

Land North Of Northwick Road, Pilning, South Gloucestershire BS35 4HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Jones against the decision of South Gloucestershire Council.
 - The application Ref is P25/00144/F.
 - The development proposed is described as “change of use of land to a Gypsy and Traveller caravan site”.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for an award of costs made by Mr R Jones against South Gloucestershire Council is the subject of a separate decision notice.

Preliminary Matters

3. The description of development in the header is from the planning application form. The Council’s decision notice and the appellant’s other submissions refer to the development as “*change of use of land to Gypsy and Traveller caravan site to facilitate the stationing of 3no mobile homes, 2no touring caravans, erection of 1no dayroom and 1no utility block and associated works (retrospective)*”. This is a more precise description of the development compared to the original and it is consistent with the details on the appeal plans. No injustice would be caused by assessing the appeal on the basis of the revised description.
4. The appellant and the Council agree that the lawful use of the appeal site is for mixed equestrian and agricultural purposes. Also authorised is the erection of an existing stables building and an adjacent area of hardstanding as shown on the drawing numbered J003795-DD-02 included in appendix 2 of the Council’s hearing statement (hereafter referred to as the appendix 2 plan). On my visit I saw an area of gravel on the site that was significantly larger than the area of authorised hardstanding. The appeal plans show the retention of this area of gravel and so it would seem that the appeal development in these regards has begun. However, I saw no mobile homes or touring caravans and no sign of construction works having commenced on the proposed buildings.
5. At the hearing, the appellant’s agent confirmed that the proposed Gypsy and Traveller caravan site use was solely residential. The mobile homes, touring

caravans, proposed buildings and associated parking and patio areas would be on the northern part of the defined appeal site. A significant proportion of the appeal site is annotated on the proposed site layout plan as “existing paddock area retained”. The appellant’s agent confirmed the proposed change of use does not relate to this paddock and I have assessed the appeal on this basis.

6. An emerging local plan for the District (the eLP) is currently the subject of a public examination. The main parties advise the eLP policies should be afforded limited weight in the assessment of this appeal. I find no reason to disagree as these policies are the subject of review and may change before adoption.

Main Issues

7. The main issues are (i) flood risk, (ii) the need for and the supply of Gypsy and Traveller pitches, (iii) whether the proposal would represent inappropriate development in the Green Belt, (iv) whether the site is in an appropriate location having regard to accessibility to services, and (v) the effect of the development on the setting and the significance of the Tower of the Church of St Thomas, a Grade II Listed Building (the LB). If I find the development would be unacceptable in any of these regards, it follows to consider whether other factors outweigh any harm caused so as to justify allowing the appeal.

Reasons

Flood risk.

8. I have been provided with a Flood Risk Statement of Common Ground (FRSO CG) between the appellant and the Environment Agency (EA). This sets out the agreed position that the EA’s Flood Map for Planning should take preference over the Council’s Strategic Flood Risk Assessment in determining which flood zone the appeal site lies. According to the Flood Map for Planning, the site lies in Flood Zone 3, which the Planning Practice Guidance (PPG) defines as having a high probability of flooding¹. The FRSO CG confirms the principal source of risk to the site is tidal flooding from the River Severn.
9. Flood defences along the River Severn protect the appeal site and the wider area. Improvement works to these defences have recently been completed as part of the Avonmouth Severnside Enterprise Area scheme, with the aim to reduce flood risk to properties and to provide enhanced security and confidence for economic growth. The upgrade in the defences is designed to offer protection from a 1 in 200 year (0.5%) annual exceedance probability tidal flood event for the next 60 years. However, the FRSO CG also acknowledges there is no current identified funding or commitment to deliver further enhancements to the defences to address the effects of climate change on potential tidal flood events. Moreover, it is accepted a residual risk remains that the defences may be breached.
10. Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 (the CS) sets out an expectation that new development should be located away from areas of flood risk. This expectation is consistent with sub-paragraph 13(e) of the Planning Policy for Traveller Sites (PPTS) that states that local planning policies should not locate Gypsy and Traveller Sites in areas at high risk of flooding. Whilst

¹ Planning Practice Guidance, Flood Risk section, Table 1 at Paragraph: 078 Reference ID: 7-078-20220825, Revision date: 25 08 2022

noting the coastal defences, the appeal development would not accord with these policies as it would be within Flood Zone 3.

11. CS policy CS5 states that the sequential test (ST) and the exception test (ET) will be applied to direct development to areas with the lowest probability of flooding. Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017 (the PSPP) also requires development proposals to follow the sequential approach. The ST and ET are referred to in the National Planning Policy Framework (the Framework) and they are explained further in the PPG. In essence, the ST requires proposals to be refused if there are reasonably available sites appropriate for the development with a lower flood risk.
12. The PPG provides advice on the area of search to be used in carrying out the ST exercise². For non-major housing development, the appropriate area of search will not usually go beyond the village where the proposal would be located or its immediate neighbouring villages. The appeal proposal is not for housing but it would provide a residential use and it would not be a major development. As such, it is appropriate to follow the referred to PPG advice in the ST assessment for the appeal scheme.
13. The Flood Map for Planning indicates all of Northwick and most of the surrounding area as lying within Flood Zone 3. The nearest areas to the appeal site within Flood Zone 2 and so at a lower flood risk are on the opposite side of the A403 to Northwick and to the south along part of the M4 motorway. These areas do not lie within any of the neighbouring villages to Northwick. The Council highlight a site proposed to be allocated for Gypsy and Traveller accommodation in the eLP as a potential alternative to the appeal plot. This is in an area of lower flood risk but it is well beyond Northwick and its neighbouring villages. As such, I am satisfied that there are no reasonably available sites for the development within the appropriate search area that are at a lower risk of flooding to the appeal site.
14. In such circumstances, paragraph 177 of the Framework explains that the ET may have to be applied depending upon the potential vulnerability of the site and the proposed development. The PPG makes it clear that the ET should only be applied as set out in Table 2 of the Flood Risk Section of the PPG³. Annex 3 of the Framework defines residential caravans as being highly vulnerable development. Table 2 states that highly vulnerable development in Flood Zone 3 areas should not be permitted rather than that the ET should be applied. Therefore, I see no reason to assess the proposal against the ET. Instead, I attach significant weight to the indication in Table 2 that the proposal should be refused.
15. In line with paragraph 181 of the Framework, the appellant has provided a site-specific flood risk assessment (the FRA). Paragraph 181 of the Framework states that development should only be allowed in areas at risk of flooding where it can be demonstrated to be appropriately flood resistant and resilient, where any residual risk can be safely managed and where safe access and escape routes are included as part of an agreed emergency plan.
16. The FRA considers the residual risk of a breach of the flood defences at a single point. It also assumes flood levels between the coast and the site would reduce by

² Planning Practice Guidance, Flood Risk section, Paragraph: 027a Reference ID: 7-027a-20220825, Revision date: 17 09 2025

³ Planning Practice Guidance, Flood Risk section, Paragraph: 032 Reference ID: 7-030-20220825 revision date: 25 08 2022 and Paragraph: 079 Reference ID: 7-079-20220825, revision date: 25 08 2022.

approximately 3m due to the volume of floodwater that can flow through a single breach. Given these assumptions, the flood event modelling referred to in the FRA leads to the adoption of a design flood level of 7.35m AOD. It is recommended the floor levels of the dayrooms are set 7.4m AOD and the mobile homes are set at a minimum of 7.9m AOD to avoid internal flooding of the appeal development.

17. However, I have some concerns over the FRA's conclusions in respect of residual flood risk due to a breach of the coastal defences. The FRSOCC provides modelled flood levels within the appeal site based on the most recent flood modelling completed in 2025. In comparison, the FRA is dated 7 January 2025 and so it appears the modelling used to support the proposed design flood level of 7.35m AOD is not the most recent. Moreover, it is based on a specific scenario of a single breach in defences and where the volume and flow of floodwater would be restricted. The FRA does not consider a scenario of multiple breaches of the defences. Such a situation may be unlikely but it cannot be ruled out. The failure to take account of multiple breaches occurring at the same time means the FRA is of limited use in forecasting the range of effects of a tidal flood event.
18. In comparison, the FRSOCC sets out modelled flood levels based on the most up to date flood modelling for 1 in 200 year flood defence breach scenarios in 2083, 2098 and 2123. It was explained at the hearing that these scenarios are based upon 16 breaches of the defences occurring at the same time. This may be highly unlikely but it remains a residual risk. In any event, given the uncertainty in climate change projections I consider a precautionary approach should be adopted. Accordingly, I find the modelled flood levels as set out at Table 2-1 of the FRSOCC provide a more robust design flood level upon which to consider residual flood risk compared to those provided within the FRA. Furthermore, it is fair to treat the proposal as having a lifetime of 100 years as it is a residential development. With reference to Table 2-1 and the modelled flood level within the appeal site as of 2123, it is reasonable to adopt a design flood level of 8.15m AOD when considering the residual flood risk to the proposed development.
19. At this level, it is likely the internal areas of the proposed dayroom and utility buildings would be severely flooded, as a finished floor level of 7.4m AOD would be significantly below 8.15m AOD. As such, I am unconvinced that these buildings could be quickly brought back into use and without significant refurbishment following a residual flood risk event. The proposed mobile homes could be set on slightly higher supports than proposed so their floors are at or just above 8.15m AOD. However, the design flood level I have adopted would represent a significant depth of floodwater across the site, making it hazardous for residents to remain living in the mobile homes. In arriving at this view, I have had regard to the EA's evidence on the velocity of floodwaters and the significant flood hazard rating for the appeal site in a 1 in 200 year breach scenario in 2123. There is no substantive evidence to show how the residual risk of flooding at a level of 8.15m AOD would be safely managed on the appeal development.
20. Moreover, in a multiple breach of defences flood event as described in writing and illustrated visually at the hearing by the EA, most of the area around the site and Northwick would be flooded. There would be no safe route to and away from the appeal development as the surrounding land would be quickly inundated. The FRA does not consider this scenario as under a single breach of defences event it is suggested the road out of Northwick towards the A403 would be unflooded.

21. A draft flood emergency plan has been provided with the FRA that sets out measures and actions to ensure residents are made aware well in advance of a flood event and how they would evacuate. The PPG states that emergency plans are needed where they are an important component of making a development safe. However, at the same time, the PPG advises it would be inappropriate to rely solely on emergency plans to mitigate residual risk⁴. In any event, the safe evacuation of the residents from the development would not address the damage that would be caused to the buildings and possessions left on the site.
22. In summary, the proposal would go against policies that seek to direct Gypsy and Traveller sites away from areas of high flood risk. I am satisfied the development would meet the ST but the ET is not applicable and instead Table 2 in the Flood Risk section of the PPG advises the development should not be permitted. The site is protected from tidal flooding from the River Severn by recently improved flood defences. However, there is a residual risk of a breach or breaches of these defences. A precautionary approach based on the potential for multiple breaches to occur at the same time is appropriate. During a 1 in 200 year flood event, multiple breaches of defences would lead to floodwater on the appeal site at a level to enter the proposed buildings to a significant depth. Floodwaters in such an event would also make access to and from the site and the surrounding area unsafe. Even if an approved emergency plan is followed during a flood event, floodwaters would cause significant damage to buildings and items left on the site.
23. Therefore, I conclude the development would not accord with flood risk policies. As well as CS policy CS9, the proposal would be contrary to CS policy CS1 as it does not provide sufficient measures to manage flood risk. The ST is passed and so I find no conflict with CS policy CS5 and PSPP policy PSP20. However, compliance with these policies does not address nor override the identified conflicts with other development plan policies as well as the PPTS, paragraph 181 of the Framework and the PPG.

General need and supply of Gypsy and Traveller pitches.

24. Paragraph 4e of the PPTS looks to promote the provision of more private Gypsy and Traveller sites. The appeal development would contribute towards meeting this objective. Paragraph 9 of the PPTS requires local planning authorities to set pitch targets to address the likely accommodation needs for Gypsies and Travellers in their areas. Under sub-paragraph 10(a) of the PPTS, local authorities are required to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against these targets.
25. The Council's submissions on this matter refer to a South Gloucestershire Local Plan Topic Paper on Gypsies, Travellers and Travelling Showpeople October 2025 (the Topic Paper). This in turn refers to the Council's Gypsy and Traveller Accommodation Assessment Final Report dated November 2023 (the GTAA). The GTAA's findings are based on fieldwork completed between March 2021 and January 2022. The local Gypsy and Traveller population and the demand for suitable accommodation is likely to have changed in the meantime. Nonetheless, the GTAA and Topic Paper provide the only technical information before me on the need for pitches and so it is reasonable to use the data they contain in my assessment.

⁴ Planning Practice Guidance, Flood Risk section, Paragraph: 042 Reference ID: 7-042-20220825, revision date: 25 08 2022 and Paragraph: 043 Reference ID: 7-043-20220825, Revision date: 25 08 2022

26. Table 1 in the Topic Paper (Table 1) sets out the Council's figures on the need for more pitches. At the hearing, the Council's representative agreed that these figures represent the current pitch targets. Table 1 includes a total need figure at the baseline date of the GTAA of 132 pitches, with this need apportioned to different periods between 2022 and 2042. For the period 2022-26, the total need as of the baseline date is 70 pitches. However, Table 1 also provides a total need figure as of October 2025 of 40 pitches within the same 2022-2026 period. Paragraph 3.18 of the Topic Paper indicates that this lower figure takes account of planning permissions granted for additional pitches since the GTAA was undertaken. It is appropriate to use the October 2025 need figures as set out in Table 1 to establish a 5 year supply target. However, it is important to bear in mind that these have been reduced compared to the GTAA baseline date figures to reflect permissions granted for extra pitches in the interim period.
27. Table 1 also provides separate figures on the need for private pitches and socially provided pitches that together equal the total need. With reference to the figures on private need as of October 2025 for the periods 2022-2026 and 2027-2031, the Council suggests its current 5 year supply target is 32 pitches. The submitted statement of common ground includes a list of planning permissions relating to Gypsy and Traveller sites (the SOCG list). When allowance is made to a totalling error included on this list, the Council contends it can show 37 private pitches with planning permission and so in excess of the 5 year target of 32 pitches.
28. However, I have some concerns with the Council's approach. There is little evidence before me that explains the rationale behind the split in need figures between private and social need as set out in Table 1. At the hearing, the Council's representative was unable to take me to any part of the GTAA that makes a distinction between tenures in arriving at its figure on the total need for additional accommodation. Moreover, there is no part of the PPTS to support the Council's approach of looking at only private pitch needs and excluding social pitch targets in assessing whether a 5 year supply of sites can be demonstrated. With these factors in mind, I consider it is more appropriate to use the total need figures as of October 2025 from Table 1 rather than simply the private pitch need figure in establishing the 5 year supply targets. Having regard to the second and third columns in Table 1 and total need figures for October 2025, the current 5 years supply target would be 58 rather than 32 pitches. It is noteworthy that this pitch target figure is higher than the 37 private pitches with planning permission as claimed by the Council under the SOCG list.
29. Furthermore, the SOCG list includes planning permissions granted between January 2022 and October 2025 as counting towards the future supply of sites. However, from the evidence before me, it seems that at least some of these permissions have already been accounted for in Table 1 to justify the reduced total need for October 2025 compared to the need at the GTAA baseline date. As such, it appears the Council's approach includes an element of double counting of sites with planning permission in terms of reducing need as of October 2025 as well as addressing the future need for pitches for 5 years from that date.
30. I note the eLP proposes the allocation of land for new Gypsy and Traveller sites. However, these have not been relied upon by the Council in terms of currently contributing to future supply. I was advised at the hearing that none of these proposed allocated sites benefit from planning permission and there is limited information before me on where these sites are located and whether they are

available. Therefore, the evidence fails to show the sites proposed to be allocated are currently deliverable as defined under footnote 4 of the PPTS.

31. For these reasons, I am unconvinced that the evidence submitted by the Council demonstrates a 5 years' worth of supply of Gypsy and Travellers' sites against its targets. Based on the planning permissions within the SOCG list granted since October 2025, the Council is only able to show 9 pitches with planning permission⁵. This supply figure is significantly below the 58 pitch target that I consider is appropriate and it is below the target of 32 pitches as suggested by the Council. I therefore conclude that a 5 year supply of pitches in light of the Council's targets on Gypsy and Traveller site provision cannot be demonstrated.

Whether inappropriate development in the Green Belt.

32. The appeal site lies in designated Green Belt. Part 6(c) of policy CS5 of the CS states that proposals in the Green Belt will need to comply with the provisions of the Framework. Paragraph 153 of the Framework explains that inappropriate development in the Green Belt should not be approved unless very special circumstances exist.
33. CS policy CS21 only allows for proposals for new Gypsy and Traveller sites in the Green Belt where very special circumstances exist, therefore implying that such schemes are by definition inappropriate in the Green Belt. However, this policy predates the latest version of the PPTS, which at paragraph 16 explains that new sites are inappropriate development in the Green Belt unless exceptions as set out in paragraphs 154 or 155 of the Framework apply. CS policy CS21 is inconsistent with national planning policy in these respects. Given the aforementioned part 6 of CS policy CS5 it is relevant to consider whether the appeal proposal would fall within any of the exception categories set out in the Framework.
34. Sub-paragraph 154(g) of the Framework defines the material change of previously developed land to residential use as well as partial or complete redevelopment of such land as not inappropriate development in the Green Belt. This is subject to the proposal not causing substantial harm to Green Belt openness.
35. At paragraph 7.14, the statement of common ground provided by the appellant and the Council says it is agreed the appeal site is previously developed land. However, a large part of the site is currently grassed paddock area with no signs of any buildings or fixed surface infrastructure. Therefore, I do not consider the whole of the site to be previously developed land.
36. However, I consider the part of the appeal site occupied by the authorised stables and hardstanding as shown on the appendix 2 plan represents previously developed land having regard to the definition as set out in the Glossary of the Framework. Given the lawful mixed equestrian and agricultural use, the exclusion of land occupied by agricultural buildings does not apply.
37. The proposed buildings, mobile homes and hardstanding would be on land that goes beyond the extent of the authorised development as shown on the appendix 2 plan. However, the Framework's definition for previously developed land includes the curtilage of the developed land. On my visit, I saw a fence and some planting between the paddock and the northern part of the site. There is a clear and close

⁵ Pitches referred to in rows 7, 12, 13 and 15 of the SOCG list (1+2+4+2 = 9).

relationship between the lawful stable building and area of hardstanding and the part of the site to the north of the paddock. As such, it is appropriate to treat this part of the appeal site as previously developed land including the curtilage of developed land. Also, it is reasonable to treat the small part of the paddock that immediately adjoins the existing stables as being within the curtilage of this building. Therefore, the appeal development would entirely lie on the part of the appeal site that falls within the definition of previously developed land.

38. The Council has provided figures to show the proposal would result in a significant increase in the volumes of buildings and structures (including mobile homes) on the site compared to the authorised development as shown on the appendix 2 plan. There would also be a marked increase in the area of hardstanding but this in itself would not impact on either spatial or visual openness. The development would lead to the parking of vehicles and domestic paraphernalia such as play equipment, garden features and drying equipment being positioned on the site. The authorised mixed use of the site could lead to parking and the stationing of agricultural and equestrian equipment on the land. Even so, the different elements of the appeal development would lead to a significant loss of spatial openness when compared to the lawful situation.
39. However, the visual effects of the development on openness would not be readily apparent. The gated access and roadside hedgerow would limit views into the site from the adjacent road. Vegetation and a proposed fence to replace an existing fence would limit views of the proposed buildings, mobile homes and associated touring caravans from the adjacent graveyard. Moreover, where it is visible, the development would be seen amongst existing and proposed vegetation. Even as it stands, the northern part of the site has a sense of enclosure and it is not read as part of a wider open landscape. Given this context, the introduction of the appeal development would cause only a modest loss of visual openness.
40. Having regard to the spatial and visual effects together, I find the development would cause significant but less than substantial harm to the openness of the Green Belt. Therefore, it would represent the development of previously developed land that falls within the exception at 154(g) of the Framework. Accordingly, I conclude the proposal would not be inappropriate development in the Green Belt and in these respects it would accord with the Framework and CS policy CS5. The acceptability of the development in these respects is the overriding factor and outweighs any conflict with the requirements of CS policy CS21 on development in the Green Belt.

Location and accessibility.

41. The development would be located on the edge of Northwick. The hamlet consists of a cluster of dwellings and other buildings although it contains no facilities to serve the everyday needs of its residents. The nearby A403 provides a route to the nearest settlement of Pilning. The B4055 runs from the A403 through Northwick and then on to form an alternative route to Pilning.
42. CS policy CS5 sets out a spatial strategy that seeks to direct most new development to urban areas on the fringes of Bristol. This policy looks to strictly limit new development in the open countryside outside of Green Belt. However, this site lies within the Green Belt and so CS policy CS5 provides no assistance on the question as to whether the location of the development is suitable.

43. Under policy PSP11 of the PSPP, residential development is acceptable where it is located so as to allow safe useable walking and cycling to key services that are an appropriate distance away. If some key facilities are not accessible by walking and cycling then residential developments should also be located an appropriate distance from a suitable bus stop. The appeal development would be beyond a reasonable walking distance from the facilities in Pilning and there appears to be no bus stops near to the site. Signposts indicate that at least part of the B4055 route to Pilning is part of the National Cycle Network and as a quieter road compared to the A403 it is fairly safe for cyclists. However, the distance from the site along the B4055 route to Pilning would discourage some from cycling to access services and the range of facilities in Pilning is limited. Instead, it is fair to assume that most trips to and from the development would be made by private car. However, PSPP policy PSP11 is worded positively and so in itself it does not preclude residential development that is reliant on car travel
44. The proposal is not supported by CS policy CS8 as it states priority will be given to providing users of new development with a range of travel options other than the private car. The same policy also promotes developments that generate a significant demand for travel to be sited near to facilities and it resists such schemes that are car dependent. However, the appeal development is of a modest scale and is therefore likely to generate an insignificant additional demand for travel compared to the authorised use of the site. As such, I find CS policy CS8 does not provide a strong justification to resist the proposal.
45. Instead, I attach more weight to CS policy CS21 as it relates specifically to Gypsy and Traveller accommodation. This policy sets out a preference, but not a requirement, for Gypsy and Traveller sites to be within a reasonable distance of local services. Also, it states that more remote sites may be acceptable. Car journeys between the development and local facilities at Pilning would be fairly short and so the proposed site would be within a reasonable distance of the nearest services. CS policy CS21 includes no requirement for new sites to be located so as to avoid car dependency and so the development would accord with the location requirements of the policy.
46. PPSP policy PSP40 sets out situations when residential development outside settlement boundaries and in open countryside will be acceptable. The appeal development would be in open countryside under the terms of this policy as there is no defined settlement boundary associated with Northwick. Gypsy and Travellers' sites are not listed as being acceptable residential development in the countryside and so the proposal gains no support from PSPP policy PSP40. However, the policy is worded positively and so it does not preclude the appeal proposal. Also, given the wording of CS policy CS21 it would follow that the development plan policies when read as a whole accept Gypsy and Traveller developments in countryside locations, provided they are within a reasonable distance of local services.
47. The PPTS at paragraph 26 looks to strictly limit new Gypsy and Traveller sites in open countryside that is away from existing settlements. However, the appeal site adjoins the cluster of properties at Northwick and so the restrictions as set out under paragraph 26 of the PPTS do not apply.
48. At paragraph 110, the Framework encourages managing patterns of growth in support of various objectives. These include to pursue opportunities that promote

walking, cycling and public transport use. The development would not meet this objective as occupants would be highly reliant on the private car. However, it would also be modest in scale and so the advice at paragraph 110 of the Framework to focus significant development at locations that limit travel and offer a genuine choice of transport modes does not apply.

49. The proposal would not accord with paragraph 115(a) of the Framework as its location means sustainable transport modes are not prioritised. However, paragraph 110 of the Framework acknowledges that sustainable transport options vary between urban and rural areas and that this should be considered in assessing proposals. Given the identified compliance with CS policy CS21, the scale and nature of the proposed use and its rural location, I find the development would provide an acceptable level of accessibility to services and facilities. The need to travel by car to and from the development does not provide sufficient justification to deem the scheme unacceptable in these regards.
50. The Council refers me to paragraph 8 of the Framework. The social objective under sub-paragraph 8(b) of the Framework includes accessible services that reflect needs and support communities well-being. The environmental objective under sub-paragraph 8(c) refers to moving towards a low carbon economy. However, paragraph 9 of the Framework states that these objectives should be delivered through the preparation and implementation of plans and they are not criteria against which every decision can or should be judged. Therefore, even if I found the proposal would run contrary to these objectives, I attach greater weight to the provisions of CS policy CS21.
51. Having regard to all local and national planning policies and guidance relevant to the matter, I conclude the development would be in a suitable location having regard to accessibility. The proposal would not fully accord with CS policy CS8 and PSPP policy PSP11 in these regards and it would not be supported by PSPP policy PSP40. However, I find the scheme would accord with the locational requirements of CS policy CS21 and this is of sufficient weight to justify a departure from the other cited policies. The Council's refusal reason on this matter also refers to CS policies CS4 and CS4A but these contain no specific provisions on the location of development or accessibility.

The effect on the setting of the listed building.

52. The appeal site adjoins a graveyard that contains the LB. The Tower of the Church of St Thomas was constructed in the 1840's and so it has a degree of interest due to its age. Moreover, it is the only remaining part of a full church that previously existed. As such, the LB provides interesting evidence of the graveyard site's long history as a place of worship as well as Northwick's evolution as a rural community over time. The Tower's appearance reflects the historic church use and it includes features of architectural and artistic interest such as stone animal faces.
53. A public footpath runs through the graveyard and from this the Tower as a whole can be readily appreciated. The graveyard is an important part of the setting to the LB as it contributes to the understanding of the historic religious use of the building. Adjoining the graveyard is another grade II listed building, the former Sandfords Charity School now used as a dwelling. The former school was constructed at a similar time as the Tower and they complement each other in their appearance. Also, when seen together they illustrate the historic community hub of the hamlet.

54. Wider views of the LB from public vantage points are limited due to the screening effect of vegetation within and near the graveyard and along local roads. However, there are views of the Tower from adjacent private properties, including the appeal site. There is no obvious functional association between the appeal site and the former church. Even so, the partial views between trees of the LB from the appellant's land means the site has a visual relationship with the Tower. An existing close boarded fence along a significant length of the common boundary is an incongruous feature and currently detracts from the views of the Tower from the appeal site. The same fence is also partially seen through vegetation behind the Tower in views from the graveyard. Nonetheless, the appeal site makes a positive contribution towards the setting to the LB as the lack of buildings near to the graveyard boundary allows visual appreciation of the Tower at fairly close quarters.
55. The erection of the proposed buildings, the stationing of mobile homes and touring caravans as well as associated parking and domestic paraphernalia would all change the appearance of the part of the appeal site nearest to the graveyard. Such structures and features would not be so tall to fully obstruct views of the upper parts of the Tower from the site and paddock. However, they would stand before the LB and to a degree they would detract from the current views of the Tower. The submitted plans show the existing fence would be replaced by a similar feature, although new planting on the appeal site side of the fence is proposed. As such, this new fence would not be as visually intrusive in views from the appeal site of the Tower compared to the existing fence. However, this is a minor benefit that would fail to address or offset the harmful effect of the proposed caravans and buildings on the views of the LB.
56. The upper parts of the mobile homes and proposed day rooms nearest to the northern boundary of the appeal site would be visible in some views of the Tower from the graveyard. However, from these vantage points, the development would be partially screened by existing and proposed vegetation and the boundary fence so it would not meaningfully spoil appreciation of the Tower. Moreover, whilst there is a sense of rural tranquillity, the development as a residential use is unlikely to cause a level of noise disturbance to significantly affect the character of the graveyard. Therefore, I find the proposal would not cause harm to the immediate setting of the Tower. Also, it would be screened and a sufficient distance away from the former school building to avoid any detriment to the setting or significance of that listed building. The visual and historic connection between the Tower and the former school would remain unaltered.
57. An enforcement notice issued by the Council in 2024 does not identify a previous residential caravan use of the appeal site as being detrimental to the setting of the LB. However, I am not bound to arrive at the same conclusion in considering the effects of the current appeal scheme. Instead, for the reasons set out above, I conclude the development would have a detrimental effect on views of the Tower from the appeal site and in these regards it would be harmful to the setting and the significance of the LB. As such, the proposal would be contrary to the expectation set out in CS policy CS9 that development will conserve and respect heritage assets.
58. The Council's refusal reason on this matter also refers to PSPP policy PSP17. This highlights a priority to conserve heritage assets but it sets out the circumstances when harmful development will be allowed. These include where the public benefits of a scheme outweigh the harm, where there is no other means of delivering similar

public benefits through development on an alternative site and where harm is minimised and mitigated.

59. The fairly low level of the proposed buildings and structures, as well as the provision of new planting would minimise the level of harm caused by the proposal to the significance of the LB. With reference to terms used in the Framework, I consider that less substantial harm would be caused to the significance of the LB as a result of the proposal, particularly as the fabric of the Tower itself and the most important views from the graveyard would be largely unaffected. Also, the level of detriment caused would be towards the lower end of the less than substantial harm scale as the proposal would not undermine the appreciation of the Tower's qualities from the main vantage points nor diminish the understanding of the religious history of the graveyard site. It follows from PSPP policy PSP17 and the provisions of paragraph 215 of the Framework to consider the public benefits of the proposal against the identified harm to the setting and significance of the heritage asset.

Heritage balance.

60. There is a statutory requirement under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of the LB. The proposal would cause a minor level of harm to the setting and significance of the Tower but even so this is a matter of considerable importance and weight in light of the statutory duty.
61. In terms of public benefits, the development would help address a local unmet need for Gypsy and Travellers sites and it would contribute towards the government's general aim to promote the provision of more private pitches. In doing so, it would reduce the likelihood of Gypsies and Travellers needing to resort to illegal encampments. This in turn would promote good relationships between Gypsies and Travellers and those not of this protected group and so the development would accord with the aims of the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010. Also, the proposal would provide a settled base to allow occupants access to facilities such as schools and health care that would not be so readily available with a transient lifestyle. In these respects, it would advance the equality of opportunity for Gypsies and Travellers as advocated under the PSED.
62. The proposed planting would over time reduce the visibility of the boundary fence and so there would be a minor improvement to the setting of the LB, although this would be insufficient in itself to offset the harm that would be caused by the development considered as a whole. The proposed planting may also make a minor contribution to the range of habitats on the site and so to biodiversity.
63. The scale of the proposal is fairly limited in terms of providing just 3 mobile homes. However, paragraph 2.13 of the Topic Paper explains that there has been a historic and persistent level of unmet need for Gypsy and Traveller accommodation in South Gloucestershire. My findings on the need for pitches and the future supply of sites indicates that there is not sufficient alternative sites currently available to help address the identified unmet need. Within this context, I attach very great weight to the public benefits of the development when considered together. They provide clear and convincing justification to allow the development, notwithstanding the great weight to be attached to the harm that would be caused to the setting and significance of the LB. When applying the heritage balance, the development would

accord with PSPP policy PSP17 and the provisions of the Framework on heritage assets. Acceptability in these regards outweighs the identified conflict with CS policy CS9 as this policy is inconsistent with the Framework's requirement to consider public benefits when less than substantial harm would be caused to the significance of heritage assets.

Other considerations in support of allowing the development.

64. There are other factors to consider in addition to the public benefits referred to above. CS policy CS21 states that the PSPP will make provision for Gypsy and Traveller Accommodation but it contains no policies that allocate land for new pitches. This failure of policy may well be addressed through the adoption of the eLP but it is accepted the draft policies should be afforded little weight at this time. The failure of policy adds support for allowing the appeal.
65. The appellant and their immediate family are the intended occupants of the site. At the hearing, I was advised that they are currently out of the country but before then they were doubling up and residing on another family's pitch. Allowing the development would be clearly beneficial to the intended residents in terms of providing the security of a lawful, settled and appropriate accommodation base from which they could access services. The development would be of particular benefit to the children in the family as it would enhance their opportunities to access education facilities compared to an uncertain or more transient lifestyle. In my consideration of this appeal the best interests of these children is a primary consideration. The site would allow residents to follow their cultural preference of living in caravans and it would also support a nomadic way of life. The evidence indicates that there is no lawful alternative site available to the intended occupants. These factors add weight towards allowing the appeal.
66. I am referred to other appeal decisions where Inspectors have considered Gypsy and Traveller developments. These include one of my own decisions to allow a Gypsy and Traveller site in South Gloucestershire. However, this and the other referred to decisions relate to different sites and where the material factors vary from those to be considered with this appeal. As such, I am not bound to follow any of the referred to appeal decisions in my assessment of this current proposal.

Planning balance.

67. I have found the proposal would be acceptable when considered against development plan policies on the Green Belt, on location and accessibility and heritage assets. Acceptability in these regards is a neutral factor in my overall assessment. However, the scheme would conflict with policies relating to flood risk and so it would not accord with the development plan when read as a whole. It follows to consider whether other considerations justify allowing the development contrary to CS and PSPP policies.
68. The public benefits as outlined under the heritage balance section of this decision are of very great weight. The other considerations including the personal circumstances of the intended occupants add further support for the proposal. However, my concerns in relation to flood risk bring the scheme clearly into conflict with relevant development plan policies as well as the provisions of the Framework, the PPG and the PPTS. To grant permission would go against the equivocal statement in Table 2 of the Flood Risk section of the PPG that the development should not be permitted. A decision to allow the appeal would also be contrary to

paragraph 181 of the Framework and the guidance to only allow development in areas at risk of flooding where all of the criteria in sub-paragraphs 181 (a) to (e) are met. I find the development would not accord with sub-paragraphs 181(b), (d) and (e) for the reasons given previously.

69. Accordingly, I find the Framework policies on areas at risk of flooding provide a strong reason to refuse development. In arriving at this view, I have had regard to the benefits of the proposal and other factors in support of allowing the appeal. However, the overriding consideration is the harm caused by virtue of allowing highly vulnerable development in a high flood risk area and where I find residual flood risk would not be appropriately managed.
70. I have considered whether allowing the development for a temporary period would overcome my concerns and whether this would be appropriate. It is reasonable to assume that the risk of the development being flooded due to a breach of coastal defences would be lower if allowed temporarily rather than on a permanent basis, Nevertheless, even if allowed for a short period there is still a residual risk to consider. However, the benefits of the development in addressing an unmet need for pitches would significantly reduce if allowed for a temporary period. Furthermore, a condition requires the site to be restored to its original condition could lead to the demolition of buildings intended to be permanent and not just the removal of caravans. Therefore, a temporary condition would not fully overcome the concerns and it would be unreasonable.
71. I have also considered whether allowing the development subject to a condition restricting occupancy to the intended occupants. However, even when considering the personal circumstances of the family and the best interests of the children I find the flood risk concerns are the determinative factor. In arriving at this view, I am conscious that a development that limits occupancy to named persons would still be subject to the same flood risk but that the benefits in terms of addressing a general need for more pitches would be reduced.
72. The appellant owns the appeal site but from the information provided at the hearing it would appear they have not lived there recently. As such, I am unconvinced that decision to dismiss the appeal would interfere with the appellant's and their family's rights to peaceful enjoyment of their possessions and to respect for a private and family life and their home under Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998. However, even if refusing permission would interfere with these rights, allowing the appeal and implementing the permission would lead to the family living in an area identified as being at flood risk. In such circumstances, an interference with the intended occupants' human rights would accord with the law and be pursuant of well-established and legitimate aim to avoid development at unacceptable flood risk.
73. Paragraph 11(d) of the Framework is engaged as the Council is unable to demonstrate a 5 year supply of pitches against its targets on Gypsy and Traveller site provision. This indicates that planning permission should be granted unless the circumstances in either 11d(i) or 11d(ii) of the Framework apply. In this case, the application of the Framework's policies on flood risk provide a strong reason to refuse the development. The circumstances at sub-paragraph 11d(i) exist and so the presumption towards granting planning permission under paragraph 11d of the Framework does not apply. Therefore, I find insufficient justification to allow the appeal contrary to the identified conflict with development plan policies.

Conclusion

74. The proposal would conflict with the development plan when read as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Dr Angus Murdoch	Chartered Town Planner
Mr Ian Walton	Flood Expert, SLR Consulting
Mrs Nichola Burley	Heritage Vision

FOR THE LOCAL PLANNING AUTHORITY

Liz Fitzgerald	Planning Consultant
Suzanne D'Arcy	Principal Planning Officer

INTERESTED PARTIES

Olga Taylor	Pilning and Severn Beach Parish Council
Cllr Tony Williams	Objector
Colin Taylor	Environment Agency
Briony Waterman	Environment Agency

LIST OF DOCUMENTS SUBMITTED AT THE HEARING

1. Appeal decision reference number APP/L3625/W/24/3352163.
2. Flood Risk Statement of Common Ground between the Appellant and the Environment Agency dated 15 June 2026.
3. Drawing number TDA.3011.03 revision B.
4. Graph entitled T200 2123 Tide Curve.