Wiltshire Council

4th December 2025

Cabinet Office
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Mrs L C Wood
Town Clerk, Mere Town Council
Duchy Manor
Springfield Road
Mere
Warminster
Wiltshire BA12 6EW

Our Ref: IT/PT/IT0013
Your Ref:

Dear Mrs Wood

Re. Authorised occupation and activity at Burton Farm, Mere

Thank you for taking the time to write to me on 18 November 2025 on behalf of Mere Town Council.

It is helpful to read your perspective about the history of the site as well as your summary of the planning enforcement situation. I have discussed this matter with the council's planning enforcement colleagues.

Firstly, please be assured that I understand the Town Council's concerns. The planning system plays a vital role in managing development within our communities and in preserving our historic and natural environment and we always strive to take a proportionate approach to dealing with unlawful activity.

Wiltshire Council's Planning Enforcement Policy (2024) provides detailed information on the enforcement process and can be accessed via the following link:
https://www.wiltshire.gov.uk/article/10380/What-is-planning-enforcement-and-why-we-have-it

Rather than repeat what is set out in that policy, I will focus on the key facts of this particular case. There is an extant enforcement notice dated 2 March 2021, which was upheld at appeal on 10 May 2021 and complied with. Both documents are enclosed for ease of reference. This notice was served against the residential use of land for the stationing of a caravan without planning permission, the below plan shows the land to which the notice relates, which is the area shown in red.

Section 4 of the notice sets out the national and local planning policy reasons for its issue. At the time the notice was issued, the occupants did not meet the definition of "Gypsies and Travellers" for planning purposes. The notice(s) therefore relates to the use of the site as known at the time and not the unlawful occupation of the site for Gypsies and Travellers. This is important because the planning justification for taking action would have been different. By way of example, our assessment of the planning merits of a use of land occupied by Gypsies and Travellers must be assessed against specific policies, which include:

- National policy: Government's Planning Policy for Traveller Sites (2024)
- Local policy: Core Policy 47 (Meeting the needs of Gypsies and Travellers) of the Wiltshire Core Strategy (2015)
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Because the existing enforcement notice dated 2 March 2021 relates to the use of land for people who do not meet the definition of Gypsies and Travellers (and therefore assessed against a different policy context), pursuing prosecution under that notice would be likely to present significant legal challenges. For these reasons, the council cannot rely on the existing notice to commence legal proceedings.

Turning specifically to highway safety, Section 4(d) of the enforcement notice cites Core Policies 60 and 61 of the Wiltshire Core Strategy (2015), stating that:

> "*…..the unauthorised development takes place in an unsustainable location encouraging the use of private vehicles. In addition, without detailed analysis of the access arrangements the use of the access from Burton Field onto the A303 will have an adverse impact upon highway safety.*"

There are two limbs to this reasoning:

1. The location was considered unsustainable under the general policy framework. However, the sustainability test for the occupation of the site by Gypsies and Travellers differs and has yet to be assessed.

2. The lack of detailed analysis of access arrangements raised concerns about highway safety. This was reflected in paragraph 25 of the appeal decision:

   "*In view of the importance of the A303 as part of the national strategic road network, I consider that it is essential that additional traffic generation is assessed as being both safe and unlikely to interfere materially with the operation of the road. In the absence of an assessment, I conclude that the residential use of the site may harm highway safety and interfere with the function of the A303 as a strategic route.*"

Given these circumstances, the most appropriate course of action is to invite the landowner to submit a planning application to seek planning permission retrospectively. This will allow all relevant information to be assessed and for relevant consultation to take place with the local community and with statutory bodies. Assuming an application is made, the council will then be in the best position to be able to make an informed judgement about how the site is being used, having regard to assessments on sustainability, landscape setting, and highway safety, ensuring these are subject to proper consultation and scrutiny.

The council is not able to force an applicant to prepare and submit a retrospective planning application, but this is good practice where the landowner is engaging constructively with the council. In this instance, the occupiers have advised that they have engaged a planning consultancy to prepare and submit the application on their behalf. In these circumstances, it is not

unreasonable to allow time for an application to be prepared and submitted. Should an application not be submitted within a reasonable period of time, or if an application were to be submitted but subsequently refused, at that stage we would review the expediency of taking formal enforcement action.

In the meantime, please be assured that we will continue to closely monitor activities on the site and review any further unlawful development in accordance with the adopted Planning Enforcement Policy.

Yours sincerely

Cllr Ian Thorn
Leader, Wiltshire Council