

GYPSY AND TRAVELLER ACCOMMODATION

7.4.84 Context

- The Housing (Wales) Act 2014 places a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified.
- The Welsh Assembly Government Circular 30/07 Planning for Gypsy and Traveller Caravan Sites strengthened the requirement that local authorities identify and make provision for appropriate sites in their local plans.
- The Welsh Government's 'Travelling to a Better Future' sets out a detailed policy framework for Councils.
- There are occurrences of unauthorised encampments within the Plan area.
- Evidence suggests that there is a need for permanent and temporary Gypsy and Traveller sites in appropriate locations within the Plan area.

Introduction

- 7.4.85 It is widely accepted that there is a national shortage of authorised sites for Gypsies and Travellers. This has led to an increasing incidence of unauthorised encampments and has sometimes created tensions between Gypsies and Travellers and the settled community. The supply of authorised sites, in appropriate locations, will help address the cycle of eviction that can be costly and will help Gypsies and Travellers to have a home or a place to stay. does not address the underlying need for a home
- 7.4.86 National policy places a responsibility for Local Authorities to set out the strategy and the criteria to be used to guide the development of Gypsy and Traveller sites in the Plan area.
- 7.4.87 There is currently one authorised local authority owned residential Gypsy site at Llandygai, near Bangor with capacity for 7 pitches. There is also a tolerated Travellers site near Pentraeth, where ~~11 caravans are sited.~~ 4 households live. It is considered that this site ~~offers~~ is unsatisfactory and therefore should be improved to provide improved better living conditions ~~and therefore should~~ or be relocated to a more appropriate site.
- 7.4.88 Local authorities are required to assess the accommodation needs of Gypsy and Traveller families under Sections ~~225 and 226~~ 101 of the Housing Wales Act ~~2004~~ 2014. Where there is an assessment of unmet need for Gypsy and Traveller accommodation in the area authorities should identify sufficient sites in local development plans to ensure that the identified pitch requirement for residential and transit use can be met.
- 7.4.89 The Housing (Wales) Act 2014 places a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified. ~~In accordance with the Housing Act 2004, the North West Wales and Flintshire Gypsy and Traveller Accommodation Needs Assessment (GTANA) (2011) was undertaken for all the North Wales Local Planning Authorities apart from Wrexham (who had undertaken a separate study).~~ A Gypsy and Traveller Accommodation Needs Assessment (GTANA) was undertaken in 2015 in accordance with Welsh Government guidelines to identify unmet need over the Plan period.

7.4 Managing Growth and Development Supply and Quality of Housing

- 7.4.90 The findings of the GTANA, which was published in 2016, indicate that there is a requirement for ~~11~~ 4 permanent residential pitches to replace the existing tolerated site near Pentraeth Road, Anglesey and a requirement for an additional ~~10~~ 11 10 permanent residential pitches in Gwynedd over the next 5 years Plan period. Two sites for additional permanent residential pitches have been allocated in the Plan to meet the accommodation needs of Gypsies and Travellers identified in the GTANA.
- 7.4.90a The GTANA 2016 also recommended allocating that two temporary stopping places along the A55 on Anglesey (one in the Holyhead area and one in the centre of the Island), and one in Caernarfon are required to cater for Gypsies and Travellers who visit the area or wish to stop overnight whilst travelling to and from Ireland. –have regularly made unauthorised encampments in the area. The GTANA 2016 explains why the Councils have concluded that accommodation needs of visiting Gypsies and Travellers in the Plan area should be met by providing temporary stopping places rather than transit sites (where Gypsies and travellers can stay for up to 3 months). It is considered that the low number of recorded incidences of unauthorised encampments and the comparatively short duration of stays indicate that there is no need to provide transit sites with associated permanent facilities. There are currently no authorised transit sites in North Wales. ‘Transit’ pitches can either be on formal sites that are similar to permanent residential sites but the occupier can only stay up to 3 months. Alternatively they can be temporary stopping places where occupiers can stay for shorter periods. Conwy County Borough Council and Denbighshire County Council are currently working together to identify develop a permanent residential Gypsy and Traveller site near Conwy as well as and to provide a formal transit site.
- 7.4.90b Both Councils are committed to meeting the accommodation needs of visiting Gypsies and Travellers identified in the GTANA 2016 in order to address their duties under the Housing (Wales Act) 2014. They have explored different options in consultation with the public and stakeholders to identify sites for temporary stopping places that address that need. The site selection process took account of guidance published by Welsh Government. Where planning consent is required to provide temporary stopping places, the planning application will be considered against the requirements of relevant policies in the Plan.
- 7.4.90b Until sufficient temporary stopping sites have been developed to meet the needs of travelling Gypsies and Travellers identified in the GTANA, both Councils will continue to apply their existing tolerated protocols for dealing with unauthorised Gypsy and Traveller encampments that may occur within the Plan Area.
- 7.4.91 Under the new Housing (Wales) Act 2014 another GTANA will need to be undertaken in ~~2015~~ 2020 to comply with Welsh Government requirements. The completion of the new assessment, annual monitoring and the proposed review of the Plan may result in changes in the number of additional pitches and type of sites required over the remainder of the Plan period. Whilst there is no evidence of need for Transit Sites in the Study Area at the present time, the pattern and frequency of visits by Gypsies and Travellers could change to such an extent to demonstrate a need for Transit provision.
- 7.4.92 This process provides equity between Gypsies and Travellers and the settled community, because the same process for other types of housing need and homelessness is followed. By not providing for the identified need, Gypsies and Travellers may have to resort to unauthorised sites, which can cause tensions.

POLICY TAI11: SAFEGUARDING EXISTING GYPSY & TRAVELLER SITES

The existing Gypsy site at Llandygai, Bangor, as shown on the Proposals Map, is safeguarded as a permanent residential site ~~to be solely used~~ for use solely by Gypsies.

Any new Gypsy ~~or and~~ Traveller ~~sites pitches~~ granted planning permission and operated shall also be safeguarded solely for Gypsies ~~or and~~ Travellers use.

Planning permission will be refused for an alternative use on a safeguarded site unless an alternative, replacement site has been identified and developed to provide facilities of an equivalent or improved standard (including its location) whilst there remains a need for such sites as evidenced by the Gypsy and Traveller Accommodation Needs Assessment or the best available evidence.

Explanation:

7.4.93 The policy proposes that sites that have ~~permanent~~ planning permission for Gypsy ~~or and~~ Traveller permanent residential use, or are granted such permission in the future, will be safeguarded. This will ensure that the permitted use as a Gypsy ~~or and~~ Traveller site is not lost to an alternative use, unless material planning considerations indicate otherwise.

POLICY TAI 12: GYPSY AND TRAVELLER SITE ALLOCATIONS

To ~~contribute to fulfilling meet~~ the identified need for Gypsy and Traveller pitches identified in the Gypsy and Traveller Accommodation Needs Assessment the following ~~locations sites~~, as shown on the Proposals Map, ~~have been identified for potential development~~ are allocated for permanent residential Gypsy ~~or and~~ Traveller use, to be solely occupied by Gypsies ~~or and~~ Travellers:

Permanent Gypsy ~~or and~~ Traveller Sites Allocations

Location	Number of pitches	Occupants
Extension to existing site at Llandygai, Bangor	5 <u>1110</u>	Gypsies
<u>Land at Penhesgyn, Penmynydd</u>	<u>4</u>	<u>Travellers</u>

~~The Councils are applying a Gypsies and Travellers Sites Assessment Methodology to identify sites for an additional 16 4 permanent residential pitches as well as a series of temporary stopping pitches for Gypsies and Travellers in accordance with the Accommodation Needs Assessment Study.~~

~~The Councils are applying a Gypsies and Travellers Sites Assessment Methodology to identify sites for a series of temporary stopping pitches for Gypsies and Travellers in accordance with the Accommodation Needs Assessment Study.~~

Explanation:

7.4 Managing Growth and Development Supply and Quality of Housing

- 7.4.94 Some Gypsy and Traveller families, for various reasons, live in one place for longer periods of time. Permanent residential accommodation will be provided to those families and individuals that demonstrate that they have a n genuine connection to the Plan Area accommodation need for a pitch and have no alternative place to live (this assessment is carried out by Housing Services). Occupants will be provided with pitches on a year round basis paying rent and council taxes to the Local Authority.
- 7.4.95 In order to ensure that sufficient land is available to meet accommodation needs in the Plan area, the Councils conducted 'a call for sites' in 2014, inviting landowners to submit details of land for consideration as a Gypsy and Traveller site. Two sites located within Snowdonia National Park (which is outside this Plan's area) were submitted and were discounted by the Snowdonia National Park Planning Authority after applying the site assessment methodology. Further information about the assessment methodology used to select the allocated sites is set out in the revised Topic Paper 18.
- 7.4.96 A potential expansion to the existing permanent site at Llandygai, Bangor is being explored. It is anticipated that 5 permanent residential pitches could be accommodated on this extension to the existing site. This means that at this stage there is a shortfall of 5 permanent residential pitches in Gwynedd and 11 pitches in Anglesey. The Councils will consult on options to satisfy the shortfall during 2015. The above allocations would meet part of the pitch requirements for permanent residential sites identified in the current GTANA (2015) until 2020 over the Plan period. It is acknowledged that further sites for Gypsies and Travellers will be required to meet the current (2015) identified need. Planning and Housing Services' Officers are continuing to assess various options and will report on the matter during the Examination. Additional pitches may be required thereafter depending on the annual monitoring of the Plan and following the completion of the next GTANA. If the annual monitoring report, and the next GTANA or together with the necessary review of the Plan demonstrate a shortage in provision and/or an unmet need for additional pitches then more sites will need to be allocated in the Review of the Plan.

7.4.96a The Councils will undertake a GTANA every five years. The timing of the next GTANA will coincide with the review of the Plan.

Permanent Residential Pitches

- 7.4.97 Local planning authorities are required to ensure that sites are sustainable economically, socially and environmentally. In order to identify the most appropriate sites, each potential site will be subject to an assessment process, which is in five stages: sites have been assessed in accordance with the methodology set out in Revised Topic Paper 18 (2016). The main steps of the methodology are set out below

1. Identify data sources;
2. Establish search areas, which includes consideration of the preferences of the Gypsy and Traveller communities as indicated in the GTANA;
3. Initial filter of sites, which involves consideration of its size and major constraints, e.g. national or international nature conservation designations;
4. Detailed site assessment, which looks at environmental issues, accessibility, site context and character and an assessment against the Sustainability Assessment and the Habitat Regulation Assessment objectives;

~~5. Final schedule of sites **selection of suitable sites to allocate for Gypsy and Traveller use**~~

7.4.98 ~~The ideal size of a residential site should generally be no more than 12-20 pitches (Good Practice Designing Gypsy Traveller Sites 2014-2009; the Welsh Government has recently been consulting on a revised version of this guidance note).~~

Temporary Stopping Sites

7.4.99 ~~The **GTANA 20156** and Council records indicate that there have been occurrences of up to 15 caravans stopping at any one time on the same site in the Plan area for relatively short periods. However, most of the unauthorised encampments have involved much smaller numbers of caravans. **A single temporary stopping site to accommodate 15 caravans would require 8 pitches (2 touring caravans per pitch).** Providing one transit/stopping site that could accommodate up to 15 caravans and the provision of a number of temporary stopping places along routes through the Plan area commonly used by Gypsies and Travellers that could accommodate up to a maximum of 6 units is being explored. The advantage of the latter approach is that number of units on one site would be limited by the size of the site and that there will be a series of sites located along commonly used routes. Whatever the results of the search work the sites will provide for the intermittent needs for site accommodation, for which a charge may be levied as determined by the Councils. The stopping site(s) would not be occupied all year around and they wouldn't be able to be occupied by Gypsies or Travellers for more than 5 days. The following section sets out the **main** criteria that will be **has been** applied to help select the development of **3 designated** temporary stopping places for Gypsies and Travellers in the Plan.~~

- ~~i. The site must be within 2km of main transport routes or their junctions;~~
- ~~ii. The access to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles, such as trailers;~~
- ~~iii. Sites should be able to accommodate towing caravans, parking spaces for other vehicles, and easy manoeuvrability.~~

7.4.100 ~~The following services and facilities will **should** be provided:~~

- ~~i. A cold water supply to be provided which may be by use of water standpipe.~~
- ~~ii. Portable toilets with separate provision for men and women.~~
- ~~iii. A sewerage disposal point.~~
- ~~iv. Refuse disposal facilities.~~
- ~~v. Drainage infrastructure.~~
- ~~vi. Appropriate lighting to enable safe movement, but avoiding light pollution.~~

~~Further information about the assessment process is included in Topic Paper 18 Identifying Gypsy and Traveller sites, which is published alongside the Plan.~~

POLICY TAI 13: SITES FOR NEW PERMANENT OR TRANSIT PITCHES, OR TEMPORARY STOPPING PLACES FOR GYPSIES AND TRAVELLERS PITCHES

Proposals for sites for new permanent residential or transit pitches, or temporary stopping places, for Gypsy or and Traveller sites and extensions to existing authorised sites for Gypsies and Travellers will be granted on land that would not otherwise be released for residential development provided they conform to all the following criteria:

7.4 Managing Growth and Development Supply and Quality of Housing

1. An genuine local accommodation need for Gypsy and Traveller pitches is identified;
2. Where possible, the site will be in reasonable proximity to local services and facilities that necessary transport and social infrastructure are accessible or can be readily provided;
3. Cannot be accommodated on an existing authorised site;
4. That environmental factors including high risk of flooding, ground stability, contaminated land, and proximity to hazardous locations do not make the site inappropriate for residential development unless mitigation is possible and proportionate;
5. It is capable of being serviced with water, electricity, and waste management;
6. Where appropriate, the standards and design of the development demonstrates that due regard has been given to the Mobile Homes (Wales) Act 2013 and the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites;
7. There would be no unreasonable impact on the character and appearance of the surrounding areas including impact on residential amenity of neighbouring occupiers or the operating conditions of existing businesses;
8. There are no adverse effects on areas designated as being of international or national importance for biodiversity and landscape;
9. That satisfactory arrangements are in place to restrict the occupancy of the pitches to Gypsies ~~or~~ and Travellers.
10. That a highly vulnerable development is not located in a C2 flood zone.

Explanation:

7.4.100a In addition to the provision made to meet the identified need for Gypsies and Travellers pitches in Policy TAI 12, Policy TAI 13 provides a criteria based policy to assess any future applications for additional permanent or transit pitches or temporary stopping places.

7.4.101 Many Gypsy and Traveller families have a cultural aversion to living in bricks and mortar accommodation. This aversion has been recognised in the law courts and means that every Local Authority in Wales must view Gypsy and Traveller accommodation as a form of affordable housing.

7.4.102 Planning Policy Wales allows for the release of sites for affordable housing, including Gypsy and Traveller accommodation, as an exception to normal housing policies. This policy has been framed to address the difficulties Gypsies and Travellers may face in securing an adequate supply of affordable land for their needs. The purpose of this policy is to enable the release of land outside development boundaries for affordable Gypsy ~~or~~ and Traveller accommodation where residential accommodation or transit sites would not normally be approved. Land values outside the development boundaries are generally substantially lower than land values within the development boundaries, thus reducing overall development costs in order to help provide affordable pitches. These sites could provide a small additional source of ~~affordable~~ accommodation for Gypsies and Travellers in rural areas to meet local need

7.4.103 This criteria based policy, as well as all other relevant policies in the Plan, will be applied to assess proposals submitted in order to meet future or unexpected demand for Gypsy and Traveller accommodation.

7.4 Managing Growth and Development Supply and Quality of Housing

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- 7.4.104 Evidence is expected to support a planning application in order to show that there is a genuine local need for this type of accommodation. ~~Gypsy and Traveller families will need to demonstrate a genuine local connection and genuine need to locate in the area. The Plan's general planning Policies will also be relevant in terms of this.~~
- 7.4.105 ~~The Local Planning Authority will require a legal obligation through a Section 106 Agreement restricting the occupancy of pitches to local Gypsy or Traveller households who live in the area or with family or work connections in need of affordable pitches.~~