



Powys Replacement Local Development Plan (LDP) (2022-2037)

Background Paper

Position Statement on Gypsy and Traveller Accommodation Needs

July 2024



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1. Introduction

1.1 This position statement explains how the Powys Replacement Local Development Plan (LDP) is responding to the needs of the Gypsy and Traveller community in the Powys Local Planning Authority (LPA) area over the Plan period (up to 2037).

1.2 The Housing (Wales) Act 2014 (“the 2014 Act”) requires Local Authorities to undertake a Gypsy and Traveller accommodation assessment (“GTAA”) and to make provision for sites where the assessment identifies an unmet need for mobile home pitches. Statutory Guidance (“Undertaking Gypsy and Traveller accommodation assessments”) has been produced to assist Local Authorities in discharging their duties.

1.3 The responsibility for meeting unmet needs lies with the Council as a Housing Authority rather than as a Local Planning Authority. However, there is a strong interrelationship between addressing this type of housing need and the statutory development plan. The GTAA Guidance confirms that, *“The accommodation needs of all Gypsies and Travellers should be identified, understood and addressed through the planning framework and housing strategy on the same basis as other sectors of the community”*. Paragraph 38. of the Guidance states that, *“A completed GTAA should equip Local Authorities with all the relevant data to inform their local housing strategy and Gypsy and Traveller site provision policies in their Development Plan”*. Aside from GTAA Guidance, to be in conformity with national planning policy (set out in Planning Policy Wales), development plans should allocate sites to meet identified needs (see 4.1).

1.4 The planning framework is therefore viewed as an important mechanism in addressing the particular needs of this community. GTAAs are undertaken at least every five years. As well as responding to the findings of any unmet needs identified in the latest GTAA through policies/land allocations, the development plan also operates to ensure the planning system can respond to any newly arising ad hoc needs which may occur outside of the GTAA study periods.

1.5 The Council’s Housing Authority submitted the latest GTAA, the 2021 Gypsy and Traveller Accommodation Assessment (*ORS, 2021*) to the Welsh Government for Ministerial approval in April 2022 following agreement by Powys County Council. However, as of mid-July 2024¹, the assessment is still awaiting formal sign-off. Until it is approved the GTAA 2021 must be regarded as a Draft Assessment and all references to the GTAA in this paper should be taken to read as the Draft GTAA. The Welsh Government (WG) has advised that the delays in dealing with GTAAs across Wales have been due to significant staff shortages. Note that in response to clarification questions posed by the WG in 2024, the Council submitted an amended version of the GTAA 2021 in May 2024. The amendments do not alter the main evidence of needs and the amended version² is being published alongside the Preferred Strategy. It should continue to be regarded as Draft until formal WG sign-off.

¹ On 19th July 2024 the Council received confirmation that the GTAA 2021 had received Ministerial approval. It should be noted that the Preferred Strategy was approved for consultation purposes on the 11th July 2024 prior to the Minister’s approval. The Replacement LDP will need to reflect the updated position at the Deposit Plan stage.

² GTAA 2021 (amended) is now the formally approved document. (The main body of this paper was written prior to receipt of the Cabinet Secretary’s letter).

1.6 The primary purpose of this position statement (which can be read alongside the full GTAA published separately) is to explain the latest evidence that the Council has on gypsy and traveller accommodation needs and to assess whether a Land Allocation(s) for any site or sites is likely to be necessary in the Powys Replacement LDP. If so, the precise location of any proposed Land Allocations would only be identified at the Deposit Plan stage.

1.7 As the most pressing and current needs have been identified in the GTAA within the period 2021-25 (i.e. first five years), a prospective site may progress and gain planning permission under the Adopted Powys LDP (2011-2026). If this occurs, the permitted site would be expected to be shown as a Housing Land Commitment in the Replacement LDP Deposit Plan.

1.8 It is expected that a further GTAA for Powys will need to be undertaken by 2026 (GTAA's currently work on a 5-year cycle whilst LDPs work on 15-years) which may have implications for the emerging Replacement LDP in due course.

1.9 This position statement also considers what policies may be required in the Powys Replacement LDP to continue to support (over the whole 15-year plan period) addressing both the identified and unforeseen needs of the gypsy and traveller community. The current policy approach in the Adopted Powys LDP (2011-2026) will inform this process.

2. Powys: One Housing Authority, Two Local Planning Authorities

2.1 Powys County Council as a Housing Authority covers all of the county of Powys whereas, as a Local Planning Authority, the Council does not have responsibility for any land in Powys located within the Bannau Brycheiniog National Park (BBNP). The GTAA evidence on housing for gypsy and travellers is commissioned by the Housing Authority and therefore provides evidence for both Local Planning Authorities (Powys and BBNP).

2.2 The Adopted Powys LDP policies (see Section 9) illustrate how gypsy and traveller pitch needs were provided for in the LDP period (2011-2026) based on the evidence of the GTAA 2008 (and its updates in 2014 and 2016). The Adopted BBNP LDP took a similar approach. Note that previous GTAA's have now been superseded by the 2021 Assessment.

3. Legal/Technical Context

3.1 In planning for the accommodation needs of gypsies and travellers relevant legislation, planning policy and guidance documents include:

- Housing (Wales) Act 2014.
- Undertaking Gypsy and Traveller accommodation assessments (May 2015)
- Standards for gypsy and traveller sites (Welsh Government website)
- Designing Gypsy and Traveller Sites (May 2015)
- Managing Gypsy and Traveller Sites (May 2015)
- Enabling Gypsies, Roma and Travellers Plan (June 2018)
- Welsh Government Circular 005/2018, Planning for Gypsy, Traveller and Showpeople Sites (June 2018)
- All-Wales Gypsy and Traveller Accommodation Forum

- Planning Aid Wales and Welsh Government ‘Planning for Gypsy and Traveller Caravan Sites’ – on-line video guide or booklet (September 2019)
- Planning Policy Wales

4. Planning Policy Wales

4.1 Planning Policy Wales (PPW) 12 (February 2024) stipulates that Local Authorities are required to assess the accommodation needs of Gypsy and Traveller families and to allocate sites to meet the identified need. It is important to demonstrate that any sites proposed for this are both suitable for development and deliverable within the identified timescales.

4.2 PPW also refers to involvement – Local Development Plans are bound by a Delivery Agreement which includes a Community Involvement Scheme (CIS). The Delivery Agreement for the Powys Replacement LDP (2022-2037) was approved in June 2022 and revised in July 2024. This enables a full range of stakeholders to be involved in the plan preparation process. PPW advises that in drawing up policies for Gypsies and Travellers site provision, planning authorities should consult i) providers of social housing, ii) representatives of Gypsies and Travellers communities, and iii) landowners in areas likely to be appropriate for site provision. These groups are included on the Replacement LDP consultation database ensuring engagement at main plan stages. Engagement will be undertaken on a more targeted basis in cases where new site provision is under discussion. The CIS provides for stages of public consultation enabling all parties an opportunity to express their views.

5. Powys GTAA (2021)- Status of the Evidence

5.1 The significant piece of evidence for this topic is the Housing Authority’s Gypsy and Traveller Accommodation Assessment (GTAA) which is required to be undertaken at least every 5 years.

5.2 Work on the current GTAA for Powys was conducted in 2020/21 and the document, dated September 2021, was approved by the Council in March 2022. It was submitted in April 2022 to the Welsh Government for approval but, in common with other cases across Wales, has since been delayed awaiting formal sign-off³. In the interim period it is being treated as a Draft Assessment and is published as part of the Preferred Strategy evidence. On approval the GTAA will be formally published by the Housing Authority.

5.3 The definition of ‘Gypsies and Travellers’ for the purposes of the accommodation assessment process is contained within section 108 of the 2014 Act:

Gypsies and Travellers means:

(a) Persons of a nomadic habit of life, whatever their race or origin, including:

- persons who, on grounds only of their own or their family’s or dependant’s educational or health needs or old age, have ceased to travel temporarily or permanently, and

³ See footnotes 1 and 2 on page 3.

- members of an organized group of travelling show people or circus people (whether or not travelling together as such); and

(b) all other persons with a cultural tradition of nomadism or of living in a mobile home.

5.4 The primary objective of the Gypsy and Traveller Accommodation Assessment for Powys (ORS, 2021) is to, “provide a robust assessment of current and future need for Gypsy and Traveller accommodation in Powys”. It can be used to, “aid in the understanding of, and the provision of, Traveller pitches and plots, and potential transit provision, for the Powys Replacement LDP period to 2037 and the Bannau Brycheiniog National Park Authority plan period to 2033”.

6. Powys GTAA (2021) Evidence - Identified Unmet Needs

6.1 The Development Plans Manual (para 5.79) states that the Guidance requires the identification of current need, future need at year 5 and future need over the current LDP period. These components are shown in Figure 19 of the GTAA.

6.2 Opinion Research Services (ORS) who undertook the GTAA, state in the Assessment (Para 6.30), “The Welsh Government Guidance requires 2 assessments of need – for the first 5 years of the study period, and for the full Local Development Plan period”. The findings below were therefore set out on this basis.

6.3 The GTAA 2021 findings identify the need for 24 additional pitches for Gypsies and Travellers in Powys (including the BBNP), made up as follows:

Overall net need across Powys (both Plan areas):

Immediate/short-term need (first 5 years)	15 pitches
A longer-term need (year 6 to end of Plan periods)	9 pitches
= Overall needs - years 2021-37 (Powys) and 2021-2033 (BBNP)	24 pitches

6.4 The GTAA 2021 did not find a need for the provision of a transit site, neither did it identify any Travelling Show-people living in Powys.

6.5 The split of needs between the two Planning Authorities and between the short and long terms is:

Powys LPA net need:

Immediate/short-term need	13 pitches
A longer-term need (to 2037)	6 pitches
= Overall needs	19 pitches

Bannau Brycheiniog LPA net need:

Immediate/short-term need	2 pitches
A longer-term need (to 2033)	3 pitches
= Overall needs	5 pitches

6.6 The figures are summarised in Figure 20 of the GTAA as shown below:

Figure 20 - Summary of Need for Powys and the BBNPA

Site	5-Year Need	Remaining LDP Need to 2033/37
Powys (to 2037)	13	6
BBNPA (to 2033)	2	3
TOTAL	15	9

6.7 The background workings to these headline figures can be found in Figure 19 in the GTAA.

7. Updated Evidence - Identified Unmet Needs

7.1 Immediate/Short-Term Needs

7.1.1 The 13 pitches recorded in the GTAA in the Powys LPA area, are needed in connection with families residing at two public sites. The figures include applicants who wish to in-migrate to these sites as well as concealed or doubled up households and the needs arising from new household formation within 5 years. The GTAA establishes a need for:

- 10 new pitches related to Leighton Arches, Welshpool
- 3 new pitches related to Machynlleth

7.1.2 It should be noted that the new provision in each case is not necessarily going to be able to be provided at the very same sites due to known constraints and capacity issues.

7.1.3 The planning implications: Due to timings of the Local Development Plan cycles, the need for pitches in the Powys LPA area over the short term (2021 to 2026) could be expected to be addressed during the term of the current Adopted Powys LDP (2011-2026). This means these pitches would not be the subject of a new Land Allocation in the Replacement LDP and instead would rely on the planning application process. This approach prevents a site being delayed by the longer-term nature of the development plan process. In these cases, planning applications would be determined by specific policies in the Adopted Powys LDP (2011-2026) – see section 9 – and any other relevant development plan policies and material considerations. Any site gaining planning permission is then likely to be identified in the emerging Replacement LDP as a Committed Site.

7.1.4 In the BBNP planning area, the Local Authority has a third public gypsy and traveller site located in Brecon. For this aspect of the GTAA, the Powys Housing Authority will need to work with the BBNP Authority to address the identified needs.

7.1.5 GTAAs enable accommodation needs to be understood so that needs can be met, but it is necessary to distinguish between needs and simple demand or aspiration. Following the GTAA results (see 7.1.1), Council Housing Officers undertook a second round of interviews to gather opinions from the resident communities on the GTAA outcomes and to corroborate the identified pitch requirements. These discussions were conducted in April 2023 and resulted in revised/updated waiting lists which are now being considered as the core evidence of accommodation needs.

7.1.6 The results of the additional evidence gathering established an unmet short-term need in the Powys LDP area as follows:

- 12 new pitches related to Leighton Arches, Welshpool.
- 0 new pitches related to Machynlleth.

7.1.7 As a consequence of corroborating the results of the GTAA, the identified need at Leighton Arches has risen from 10 in the GTAA to 12 new pitches. The reasons for this are that one potential vacant plot captured in the GTAA (an expected move to bricks and mortar accommodation) has not materialised and one extra pitch need has been identified there.

7.1.8 In relation to Machynlleth, the further evidence did not corroborate any short-term need for pitches as residents confirmed that the short-term need could be managed without additional pitch provision.

7.1.9 Based on the corroborated figures set out in 7.1.6 the Council has developed an Action Plan (Section 8) to provide 12 new pitches for the Welshpool community. Given the physical site constraints associated with the public site at Leighton Arches, the identified need will need to be met at a new site.

7.2 Longer-Term Needs

7.2.1 The longer-term needs across Powys (for both LPAs) is for an additional 9 pitches from 2026 onwards. These are projected to arise from future household formation and comprise:

- 6 pitches in the Powys planning area by 2037.
- 3 pitches in the BBNP planning area by 2033.

However, the GTAA concludes that, *“it is likely that this need could be met through the natural turnover of pitches”*. The Housing Authority concur with this statement.

7.2.2 The planning implications: It is not considered necessary for the Replacement Powys LDP to address the longer-term future needs (from 2026 onwards) through Land Allocations.

8. Making The Necessary Provision To Meet Needs- The Council’s Action Plan

8.1 In response to the latest evidence, the Council is aiming to provide 12 additional pitches for gypsy and travellers in the Leighton/Welshpool area. It will work with stakeholders and residents to investigate suitable opportunities. An internal Officer Working Group has been established to take this work forward, future steps rely upon Welsh Government’s approval of the GTAA⁴.

⁴ On 19th July 2024 the Council received confirmation that the GTAA 2021 had received Ministerial approval. (The main body of this paper was written prior to receipt of the Cabinet Secretary’s letter).

8.2 Initial work undertaken by the group to date has included a confidential desk-top review of potential locations focussed on land in the Council’s ownership, some preliminary investigation of planning constraints, and liaison with Welsh Government about prospective funding.

8.3 Note that Candidate Sites nominated for the Powys Replacement LDP will be published in a Candidate Sites Register alongside the Preferred Strategy. No proposed Candidate Sites were submitted for this type of land use but there is scope for such sites to be submitted during the Preferred Strategy public consultation period.

8.4 Further work on progressing a site to meet the corroborated needs will be undertaken ready for the Powys Replacement LDP Deposit Plan.

9. Adopted LDP (2011-2026) Policies on Gypsy and Traveller Provision

9.1 As advised in para 7.1.3, it is considered that the immediate/shorter term need for additional pitches by 2026 in the Powys LPA area is likely to be met within the plan period of the Adopted Powys LDP (2011-2026). The relevant policy from the Adopted Powys LDP is listed below:

Policy H10 - Gypsy and Traveller Sites and Caravans

Proposals for permanent or temporary (transient or transit) Gypsy and Travellers sites and caravans, to meet a proven, unmet local need, will be permitted where sites are situated in a sustainable location which has access to educational, community, social, health and other services and facilities.

The provision of new ancillary buildings associated with the use of the site will only be permitted where it can be demonstrated the need cannot reasonably be accommodated through the re-use of other existing buildings in the vicinity.

9.2 For information, the following policy, in response to previous GTAA findings, has been implemented in full (pitches now provided) since the adoption of the current LDP in 2018:

Policy H11 - Gypsy and Traveller Site Provision

In order to meet the defined need for 7 Gypsy and Traveller Pitches, land is allocated at the following locations:

Reference	Site	Pitches
P42 HC1	Land adjacent to the Cemetery, Newtown Road, Machynlleth	5
P57 HC2	Land at Leighton Arches, Welshpool	2

10. Key Findings/ Recommendations for the Replacement LDP

- Evidence indicates an unmet short-term need of 12 pitches for Gypsy and Traveller accommodation in the Leighton Arches / Welshpool area.
- Future longer-term accommodation needs (beyond the first five years) forecast from new household formation and identified in the (Draft) GTAA 2021 are expected to be met by the natural turnover of pitches.
- The Powys Replacement LDP should contain a Strategic Policy to support and meet the evidenced need for gypsy and traveller accommodation over short and long terms. Detailed policies should be included in the Deposit LDP.