



GUIDANCE FOR GYPSIES AND TRAVELLERS MAKING PLANNING APPLICATIONS

(Extract from WAG Circular 30/2007)

Introduction

1. Members of the Gypsy and Traveller communities have the same rights and responsibilities within the planning system as members of other communities. Planning permission is normally required for any changes of use of land. As with development submitted by anyone the only times permission would not be required are:-
 - i. if the land has already been granted planning permission for a particular type of land use; or
 - ii. the use of the land has been established over a period of time without valid planning enforcement action having been taken by the local planning authority. This time period is 4 years for building or other similar physical works, which do not represent change of land use, or 10 years where the development has represented a change of land use. Siting caravans on land is a use of the land in planning terms.

Pre-Application Procedure

2. When looking for a site Gypsies and Travellers should find out whether:-
 - i. there are any existing sites in the locality (with planning permission) available to rent or buy;
 - ii. if not, whether the local planning authority can identify any sites that may be, or could become, available.
3. If the outcome of the queries outlined above are negative, and you are looking to develop a new site, it is probable that you will need to apply for planning permission. When the local planning authority considers your application they will first look to see what their development plan says about the site you have chosen.

Policy H8 of the Bridgend Unitary Development Plan states:-

Any new site to accommodate gypsies residing in, or resorting to, the county borough will be permitted only where it:-

1. Has reasonable access to shops and essential services;
2. Avoids close proximity to residential development;

3. Is compatible with neighbouring land uses;
 4. Is capable of being accessed safely from the highway network and be conveniently situated for public transport.;
 5. Is acceptable in terms of the conservation of the environment, and the provision of utility services; and
 6. Is capable of being screened and suitably landscaped to a standard compatible with either its urban or rural surroundings.
4. Consequently, **before applying for planning permission you should take the following steps:-**
- i. contact the local planning authority in order to identify the development plan policies relevant to Gypsy and Traveller caravan site use, and establish whether the site you are interested in is in a green belt, green wedge, or other area of special protection. Development in such areas is subject to stricter control and the likelihood of getting planning permission usually is much lower than if the site were not within an area enjoying this special protection.
 - ii. prepare information indicating:-
 - the area of your search for a site
 - whether there are particular reasons for selecting the site you have e.g. family circumstances, work or other requirements
 - whether there are other sites available and, if so, why you consider them to be unsuitable
 - the number of caravans proposed for the site.
 - iii. prepare an assessment of the suitability of the site, and the use to be made of it in relation to:-
 - access for vehicles and pedestrians
 - closeness to main road network
 - ground conditions and levels of land
 - how close it is to schools and other facilities
 - existence of landscaping or whether the site could be screened by additional planting

- compatibility with neighbouring uses
- iv. You should consider undertaking a search of the local land charges registers (held by the local authority) to establish whether there are any restrictions (such as injunctions) on the use of the land.
5. When you have completed all this you should seek a meeting with officers of the local planning authority to discuss your proposals and the information provided. They will give you their professional opinion on the case prepared and may be able to suggest ways in which it could be made more acceptable to the local planning authority. They will not, however, be able to give any guarantees or undertaking that planning permission will be granted. That decision will, in most cases, be made by the Planning Committee.

Making the Planning Application

6. You should make your planning application and wait for permission *before* you go on the site. Entering a site without planning permission is likely to be a breach of planning control and may be subject to enforcement action.
7. When making your application for a Gypsy and Traveller caravan site you should provide as much detail as possible at the outset, including site layout, landscaping, access, and number of caravans.

What Happens Next

8. Local planning authorities will normally decide applications within eight weeks of their being submitted. If you are refused planning permission, or the local planning authority fail to determine the application within the 8 week period (or such longer period as you may have agreed with them), it is open to you to appeal to the Welsh Ministers. Any appeal must be submitted within 6 months of the date of the refusal of planning permission or of the date on when the application should have been decided (the end of the 8 week period or any longer period you might have agreed).

Details on how to submit an appeal and how the appeal process works is available on the Planning Inspectorate website at www.planning-inspectorate.gov.uk, or from :-

The Planning Inspectorate Wales
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

Telephone :- (029) 2082 3866

Fax :- (029) 2082 5150

Email :- wales@planning-inspectorate.gsi.gov.uk

9. Gypsies and Travellers should be aware of **Planning Aid**, a voluntary service currently grant funded by the Royal Town Planning Institute and the Welsh Assembly Government offering free, independent and professional advice and support on town planning matters to community groups and individuals who cannot afford to employ a planning consultant :-

Planning Aid Wales
Bay Chambers
West Bute Street
CARDIFF
CF10 5BB

Telephone :- (029) 2048 57654

Email :- cccpaw@btconnecty.com

Website :- www.planningaidwales.org.uk

**PLANNING DEPARTMENT
CORPORATE DIRECTOR - COMMUNITIES**