

**SUBJECT: MEETING GYPSY AND TRAVELLER PITCH NEEDS – SITE IDENTIFICATION PROPOSAL**  
**MEETING: PLACE SCRUTINY COMMITTEE**  
**DATE: 24<sup>TH</sup> JULY 2024**  
**DIVISION/WARDS AFFECTED: ALL**

## **1. PURPOSE**

- 1.1 To consider the findings of a public consultation and site investigation surveys on the suitability of three pieces of Council owned land - Langley Close, Magor; Bradbury Farm, Crick and Oakgrove, Portskewett (**see Appendix 1**) for possible development as Gypsy and Traveller sites and inclusion in the Council's Deposit Replacement Local Development Plan (RLDP).
- 1.2 Informed by the public consultation and site investigation surveys, the report also proposes that land at Bradbury Farm, Crick is considered as the preferred option for development as a Gypsy & Traveller site. It is, therefore, proposed that Bradbury Farm is put forward for inclusion in the Deposit RLDP. The site would then form part of a detailed public consultation on the Deposit RLDP where people will be able to comment further on the proposal to allocate this land to meet the Council's Gypsy and Traveller housing need.

## **2. RECOMMENDATIONS:**

- 2.1 To consider the following recommendation by the Cabinet Member for Planning and Economic Development Deputy Leader:
- To remove Langley Close, Magor and Oakgrove, Portskewett from the site identification process as key information, findings and evidence from public consultation and site investigation surveys has indicated that these sites are deemed less suitable. **See Paragraphs 3.3.2 and 3.3.3 for further detail.** Furthermore, these sites are not needed at present due to the pitch requirement reducing to seven (**See Paragraph 3.3.1**)
  - To approve the use of Bradbury Farm, Crick for proposed Gypsy and Traveller site development and inclusion in the Deposit RLDP (**see Paragraph 3.3.4**), subject to the outcome of provisional and indicative design work and the findings and recommendations of further site evaluation survey work in respect of noise mitigation.

## **3. KEY ISSUES:**

### **3.1 The Council's Statutory Obligations**

#### **Gypsy and Traveller Assessment**

- 3.1.1 All Councils in Wales have a duty under Part 3, Housing (Wales) Act 2014 to undertake a Gypsy, Roma and Traveller Assessment every five years. Where unmet need for mobile home pitches is identified, the necessary pitch provision needs to be facilitated. The last Gypsy, Roma and Traveller Assessment was adopted by Cabinet on 6<sup>th</sup>

January 2021. The summary conclusions identify a need for 13 pitches for families already living within Monmouthshire. This was approved by Welsh Government in June 2024. This need is broken down as follows:

- An unmet need of nine pitches under the assessment period 2020 to 2025;
- Beyond 2025, a further unmet need of four pitches over the remaining length of the Replacement Local Development Plan (2026-33) to accommodate family growth as children become adults and require their own pitch;
- No need was identified for travelling show people or circus people;
- The Assessment did not identify a need to provide a transit site and given the cross-border movement associated with families passing through local authorities, this topic is best addressed via the regional Strategic Development Plan.

3.1.2 Of the thirteen pitches needed as identified by the 2020-2025 Gypsy and Traveller Assessment, two pitches have been granted planning permission for a family that was part of the GGTA. This reduced the pitch requirement to 11. The decision by the Planning Committee on 16th July 2024 to approve a further four pitches, reduces the overall pitch requirement further to seven.

### **Replacement Local Development Plan (RLDP)**

3.1.3 The Council is required to produce a Local Development Plan which sets out the Council's vision for the development and use of land in the County. The current plan was adopted in 2014 and to ensure the Plan is kept up to date, the Council has commenced preparation of the Replacement Local Development Plan 2018 – 2033 (the RLDP).

3.1.4 As required by Welsh Government, the RLDP **must** allocate land to meet its housing needs, including the identified need for Gypsy, Roma and Traveller pitches. Failure of the Council to do so will impact detrimentally on the adoption and delivery of the wider plan, which will have economic and social consequences for the County. For example, it would impact detrimentally on future house building.

## **3.2 Process to Date**

3.2.1 The Council has implemented a process to evaluate all Council owned land i.e. 1500 assets, to meet the identified pitch need and provide suitable homes in a sustainable location to identified local Gypsy and Traveller families, that require a home within the county. The vision is for:

- Small sites, ideally occupied by one Monmouthshire family/household;
- Typically, no more than 5 or 6 pitches on each site;
- Well designed and landscaped;
- Sensitive to existing communities.

3.2.2 An overview of the site identification process undertaken, and criteria used is provided in **Appendix 2**, which included engagement with elected members through a series of member workshops and Scrutiny Committees, to share requirements, obtain views/comments about the process and evaluation criteria and update on progress.

### **The RAG Evaluation**

3.2.3 The Council's site identification process has reviewed and evaluated all the Council's 1500 assets. The core of the process was a broad five staged exercise to sift

out/remove unsuitable land using site evaluation criteria, the aim being to identify a short-list of land with potential suitability for development as Gypsy and Traveller pitch provision, which would then be consulted upon.

- 3.2.4 This staged exercise to sift out unsuitable assets has been recorded and evidenced in a document, referred to as the RAG document (a spreadsheet that utilises a traffic-light system of red, amber and green to colour code evaluation findings and provide a more visual indication/overview). The RAG document was an iterative document that was continually updated as and when new information was identified. **See Appendix 3.** This staged process and the RAG document informed the original proposal scrutinised by People Scrutiny Committee held on the 19<sup>th</sup> of July and the report on the Cabinet agenda on 26<sup>th</sup> July 2023.

#### **Cabinet 4<sup>th</sup> October 2023**

- 3.2.5 Of relevance to this report is the decisions made by Cabinet on 4<sup>th</sup> October 2023 (**See Appendix 4**), which included:

- Commence a public consultation exercise for the provision of Gypsy & Traveller pitches at Langley Close, Bradbury Farm and Oakgrove and
- To further explore the 19<sup>th</sup> of July 2023 Place Scrutiny Committees, request to support households to self-serve on existing sites, which subject to the necessary planning permissions, would reduce the number of pitches needed.

- 3.2.6 In addition to above and in the context of the comments made by the Place Scrutiny Committee on 19<sup>th</sup> July 2023, site evaluation surveys were commissioned to further inform site suitability. External specialists were appointed to undertake the following site surveys for each site:

- Noise assessment
- Land contamination assessment (not including Oakgrove on the advice of Environmental Health)
- Air quality assessment (not including Oakgrove on the advice of Environmental Health)
- Transport assessment
- Ecology assessment

- 3.2.7 Details of the chronology of the activity and decisions between the 26<sup>th</sup> of July 2023 to 4<sup>th</sup> October 2023 Cabinet are included in **Appendix 2.**

#### **Officer Findings Further to Cabinet 4<sup>th</sup> October 2023**

- 3.2.8 Further to the Cabinet meeting of the 4<sup>th</sup> of October 2023, the following has been actioned:

#### **Public Consultation**

- 3.2.9 Grasshopper, a specialist and independent community engagement agency were appointed to undertake the agreed public consultation on behalf of the Council. The purpose of the consultation was to implement a methodology that delivered a sound reflection of local views, and the aim was for the consultation to be open, transparent, inclusive and engaging.
- 3.2.10 The public consultation ran for six weeks from 9<sup>th</sup> November 2023 to December 2023. The consultation included three drop-in events, a feedback questionnaire and website

information. The level of participation and engagement was significant with over 400 individual responses being received from local residents and other stakeholders.

- 3.2.11 The detailed findings and analysis of feedback and views from the public consultation can be found in **Appendix 5**.

#### **Site Investigation Surveys**

- 3.2.12 As previously mentioned, specialist advisors were appointed to undertake Noise, Land Contamination (except for Oakgrove as recommended by Environmental Health), Air Quality (except for Oakgrove as recommended by Environmental Health), Transport and Ecology site. **See Appendix 6**.

- 3.2.13 Each of the site investigation surveys have been considered and reviewed by the Council's Environmental Health, Highways and Ecology Teams. Internal reports to complement the site investigation surveys have been received providing additional comments accordingly and where applicable, further recommendations have been made. **See Appendix 7**.

### **3.3 Pitch & Site Identification Outcomes**

#### **Supporting Households to Self-Serve to Meet Their Own Need**

- 3.3.1 The Local Planning Authority received a Planning application from a household to develop their privately owned land from a household that is part of the Gypsy and Traveller Assessment 2021 and the original need for 13 pitches. The Planning application for **four** pitches was considered by the Council's Planning Committee on 16<sup>th</sup> July 2024. The application for **four** pitches was approved, subject to an appropriate assessment being agreed with Natural Resources Wales. Given this decision the overall pitch need for the Council to address the need identified in the GGTA reduces from **11 to 7**.

#### **Summary Overview of the Evidence for Withdrawing Langley Close – See Appendix 5, 6 & 7**

- 3.3.2 The Council has concluded that Langley Close is less suitable for development as a Gypsy and Traveller site, essentially based on the findings relating to Noise and Land Contamination. The main material evidence that has informed this conclusion is:

- **Noise Survey** – A high risk of noise impacting the northern part of the site and a medium risk of noise for the remainder was identified. Based on levels measured, interior noise levels would exceed recommended levels. Part of the site (NEC B designated) could potentially be developed, but mitigating measures would be necessary. The Southeast boundary of this area would adjoin existing homes.
- **Land Contamination** - Intrusive ground investigation was not considered necessary as the geoenvironmental risks were not considered to be sufficiently high. Localised 'Made Ground' might be present along the Southeastern boundary adjacent to existing homes, and it would be reasonable to exclude the Southeastern boundary next to properties from being landscaped or be available for growing produce.
- **Public Consultation** - Feedback received included issues and concern relating to noise, pollution and location, which the site surveys substantiated.
- **Site Evaluation Conclusions** – On the basis of findings, it is considered that Langley Close is less suitable for Gypsy & Traveller site development because:

- The location of the developable area, referred to as NEC B, (subject to mitigation measures) would have an impact on the the layout and size of the proposal which would constrain the developable area which would present design issues, which will be further compounded by the likely presence of 'made ground.'

### **Summary Overview of the Evidence for Withdrawing Oakgrove Farm – See Appendices 5, 6 & 7**

3.3.3 The Council has concluded that Oakgrove Farm is less suitable for development as a Gypsy and Traveller site, as it has been assessed as having less advantages/benefits than Bradbury Farm, Crick in terms of its location. Based on the number of pitches required it is, therefore, proposed to withdraw Oakgrove Farm. The main material evidence that has informed this conclusion is:

- **Noise Survey** – A medium/high risk of noise impacting the southern part of the site closest to the B4245. 95m from the B4245 there is a medium risk of noise. However, if an earth bund or solid noise barrier were constructed along the southern edge of the site this may provide sufficient sound attenuation that the internal noise criteria recommended would be met within mobile homes on the northern part of the site.
- **Transport** – For the residential use proposed, considerations should include the lack of sustainable transport facilities surrounding the site, with no footway connections available on the B4245. The site is positioned in and as such has very little supply of complimentary facilities / amenities in close proximity. This could lead to the site being largely car-dominated in terms of trips, with little opportunity available for the uptake of active travel modes or use of sustainable transport. The Highway authority hasn't objected to the proposed use but consider location is not a sustainable transport location.
- **Air Quality, Land Contamination and Ecology Surveys** – Air Quality and Land Contamination surveys weren't required, and the Ecology Survey didn't identify any significant planning constraints that could not be addressed or mitigated against
- **Public Consultation** – Feedback received included issues and concerns related to traffic and road safety and the principle of its location.
- **Site Evaluation Conclusions** – On the basis of the findings, it is considered that whilst Oakgrove Farm has potential for development as a Gypsy and Traveller site, but is less suitable than Bradbury Farm, Crick and, therefore, on the basis of pitch need should be withdrawn from the process because:
  - The location is currently not conducive to Active Travel and is not considered to be a sustainable transport location. The lack infrastructure e.g. footways and local amenities is considered a constraint.

### **Summary Overview of the Evidence for Bradbury Farm as the Preferred Option – See Appendices 5, 6 & 7**

3.3.4 The Council's site evaluation process has determined that Bradbury Farm is the preferred option for development as a Gypsy and Traveller site. The main material evidence that has informed this conclusion is:

- **Air Quality, Transport and Ecology Survey** – None of these surveys identified significant planning constraints that could not be addressed or mitigated against. For example, a new access would be required, and Active Travel links would be improved with the adjacent Strategic Development Site proposed through the emerging RLDP. Further Air Quality and Ecology Survey work would be necessary at a Planning application stage together with a Transport Statement/Technical Note and detailed access drawings to inform future consideration.
- **Noise Survey** - A medium/high risk in the Northwest of the site and low/medium in the Southeastern area were identified. Based on levels measured, interior noise levels would exceed recommended levels. Part of the site could potentially be developed, but mitigating measures would be necessary.
- **Land Contamination** - Intrusive ground investigations were not considered necessary. However, should development be agreed, if any unforeseen ground conditions were encountered any works must be stopped and risk assessed. Soil samples would be required prior to development based on the assumption that residents will come into contact with soil and may want to grow produce. The northern part of the site should be excluded due to the possibility of 'made ground.'
- **Public Consultation** - Feedback received included issues and concern relating to noise, pollution and location, which the site surveys substantiated.
- **Site Evaluation Conclusions** – On the basis of the findings, it is considered that Bradbury Farm, Crick is potentially suitable for development as a Gypsy and Traveller site because:
  - The location of the site will be sustainable due to being adjacent to the proposed Strategic Development site for the RLDP. The site affords a section of the land that has sufficient area capacity to be developed and in a location that has been assessed as having a low/medium risk of noise and avoids the likely presence of 'made ground' to the north of the site. There would be a need to mitigate against noise. To inform the required mitigation, indicative site design work will be required, and this will be considered as part of the RLDP and any future planning application. This design work has been commissioned.
  - Further survey work will be necessary to meet the requirements of the RLDP and to progress the proposal. This will be required as part of any potential planning application.

#### 4. **EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING)**

- 4.1 Negative implications have been identified in respect of this proposal to put forward Bradbury Farm for inclusion in the Preferred Replacement Development Plan and the development of pitch provision. **See Appendix 8.** Consideration will be given to mitigating measures.

#### 5. **OPTIONS APPRAISAL AND RISK ASSESSMENT**

- 5.1 All Councils in Wales have a duty under Part 3, Housing (Wales) Act 2014 to meet unmet need for mobile home pitches where it is identified, there are therefore two options to consider in Table One below, Option One is the preferred option.

##### **Table One: Options Appraisal**

Option	Benefit	Risk
<p><b>Option 1:</b> The <u>recommended option</u> is that Cabinet gives approval to put forward Bradbury Farm as the preferred options for meeting the identified pitch need and development as Gypsy, Roma and Traveller sites.</p>	<ul style="list-style-type: none"> <li>• This contributes to the Council's legal responsibilities to meet identified Gypsy, Roma and Traveller pitch needs.</li> <li>• It is a Welsh Government requirement of the development of Replacement Local Development Plan includes that identified need for Gypsy, Roma and Traveller pitch need is met.</li> <li>• Timely progress is needed to meet the RLDP timetable.</li> </ul>	<ul style="list-style-type: none"> <li>• Based on meeting identified pitch need and assuming a maximum of 6 pitches are developed, this will mean 1 pitch out of the 13-pitch need won't be met. Alternatively, 7 pitches are developed which is slightly higher than the Council's initial intention.</li> <li>• It is possible there may be community objection to any proposed development of Council owned land for Gypsy and Traveller sites.</li> <li>• There will be future financial implications associated with continuing to evaluate and finalise suitability e.g. indicative design work.</li> <li>• There will be future financial implications associated with any final decisions relating to developing and managing a proposed site, although it is anticipated that Welsh Government capital grant will be available.</li> </ul>
<p><b>Option 2:</b> That Cabinet gives approval to put forward Bradbury Farm <b>and</b> Oakgrove as the preferred options for meeting the identified pitch need and development as Gypsy, Roma and Traveller sites.</p>	<ul style="list-style-type: none"> <li>• This will still contribute positively to the Council's legal responsibilities to meet identified Gypsy, Roma and Traveller pitch needs.</li> <li>• It is a Welsh Government requirement of the development of Replacement Local Development Plan includes that identified need for Gypsy, Roma</li> </ul>	<ul style="list-style-type: none"> <li>• It is possible there may be community objection to any proposed development of Council owned land for Gypsy and Traveller sites.</li> <li>• Subject to final decisions, this option will impact on the number of pitches the Council will be able to provide and it reduces the likelihood of the Council meeting the full remaining identified need (i.e., 11 pitches) for Monmouthshire.</li> </ul>

Option	Benefit	Risk
	<p>and Traveller pitch need is met.</p> <ul style="list-style-type: none"> <li>Timely progress is needed to meet the RLDP timetable</li> </ul>	<ul style="list-style-type: none"> <li>There will be future financial implications associated with any final decisions relating to developing and managing a proposed site, although it is anticipated that Welsh Government capital grant will be available.</li> </ul>
<p>Option 3 – To develop all three sites as Gypsy and Traveller sites</p>	<ul style="list-style-type: none"> <li>It is considered that this isn't necessary based on the residual and outstanding pitch need of 7.</li> </ul>	<ul style="list-style-type: none"> <li>This would be unnecessary development and not a good use of resources.</li> <li>Insufficient pitch need has been identified</li> </ul>
<p>Option 4 – To withdraw all the three sites for development as gypsy &amp; Traveller sites.</p>	<ul style="list-style-type: none"> <li>There are no benefits to this option.</li> </ul>	<ul style="list-style-type: none"> <li>The Council would not be meeting its legal duty to meet identified pitch needs for Monmouthshire.</li> <li>The Council would not be meeting the requirement of Welsh Government to reflect Gypsy and Traveller pitch requirement and provision in the RLDP.</li> </ul>

## 5.2 Proposed Next Steps

The proposed next steps in respect of both site identification **and** the Replacement Local Development Plan are:

- Include Bradbury Farm, Crick as a Gypsy & Traveller site in the Deposit RLDP
- Autumn 2024 – Council to consider consulting on Deposit RLDP
- Autumn 2024 – detailed public consultation with communities on the Deposit RLDP
- Late Spring 2025 – Deposit RLDP to Council following consultation for approval to submit to the Welsh Government for public examination by an independent inspector.
- Summer 2025 Examination by independent inspector of the RLDP
- Early 2026 – RLDP to Council for adoption.

Any future development on the site will then require a detailed planning application which would also include public consultation.

## 6. REASONS

- 6.1 The Council has a duty under Part 3, Housing (Wales) Act 2014 to address unmet need for mobile home pitches where identified. Using Council owned land is one option for meeting identified need.



## **7. FINANCIAL IMPLICATIONS**

- 7.1 The Council can meet its statutory duty through a number of options, including purchasing land or leasing land from another landowner. The Council has opted to focus (as per the current site identification process) firstly on determining whether any of the Council's land is suitable for pitch provision and making the best use of existing resources. This is to avoid any unnecessary capital expenditure acquiring additional land.
- 7.2 The Council has incurred £59,411 expenditure to date in respect of site identification work.
- 7.2 The estimated cost of appointing an architecture company to undertake some initial indicative design work, to inform on-going evaluation is approximately £15,000. This will be funded from the existing Strategic Housing budget.
- 7.4 Although not directly relating to this report, there will be capital and revenue cost implications relating to any possible future decision to develop pitch provision. As yet, the Council has **not** sought to identify and estimate site development costs until such time a decision has been by the Council that a site is considered suitable, which will be made after consultation. Costs will be determined at the stage of designing a site. These costs will need to be appraised and evaluated as part of the decision-making process. Such cost will vary depending on the land identified and other variables such as size and number of pitches. The Council will engage with Welsh Government in respect of possible capital grant availability. Also, nor has the Council sought to identify and estimate any running and management costs of a developed site. There will be a need to determine such estimated revenue costs and establish a budget accordingly. Revenue budget requirements will be identified at the point of preparing a detailed and fully designed proposal ahead of submitting a planning application.

## **8. CONSULTEES**

- 8.1 Cabinet; Senior Leadership Team; Communities & Place DMT; Housing Management Team; Travelling Ahead – Gypsy and Traveller Advocates; Principal Environmental Health Officer; Snr Landscape and Urban Officer; Biodiversity and Ecology Lead; Highways Development Manager and Head of Placemaking.
- 8.2 The Council has undertaken a public consultation exercise on Langley Close, Bradbury Farm and Oakgrove Farm. **See Appendix 5.**

## **9. BACKGROUND PAPERS:**

**Appendix 1** – Site Overviews

**Appendix 2** – Site Identification Process

**Appendix 3** – RAG document

**Appendix 4** – Minutes of Cabinet 4<sup>th</sup> October 2023

**Appendix 5** - Public Consultation Report

**Appendix 6** – Noise; Land Contamination; Air Quality; Transport & Highways Site Surveys

**Appendix 7** – Internal Reviews of Site Surveys by Environmental Health, Highways and Ecology Services.

**Appendix 8** – Equalities & Future Generations Assessment.

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