



# Planning for Gypsy and Traveller Caravan Sites

November 2008



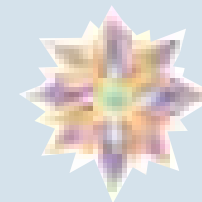
Llywodraeth Cynulliad Cymru  
Welsh Assembly Government



Illustrations by students of the Monkton Priory Project

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## About this guide

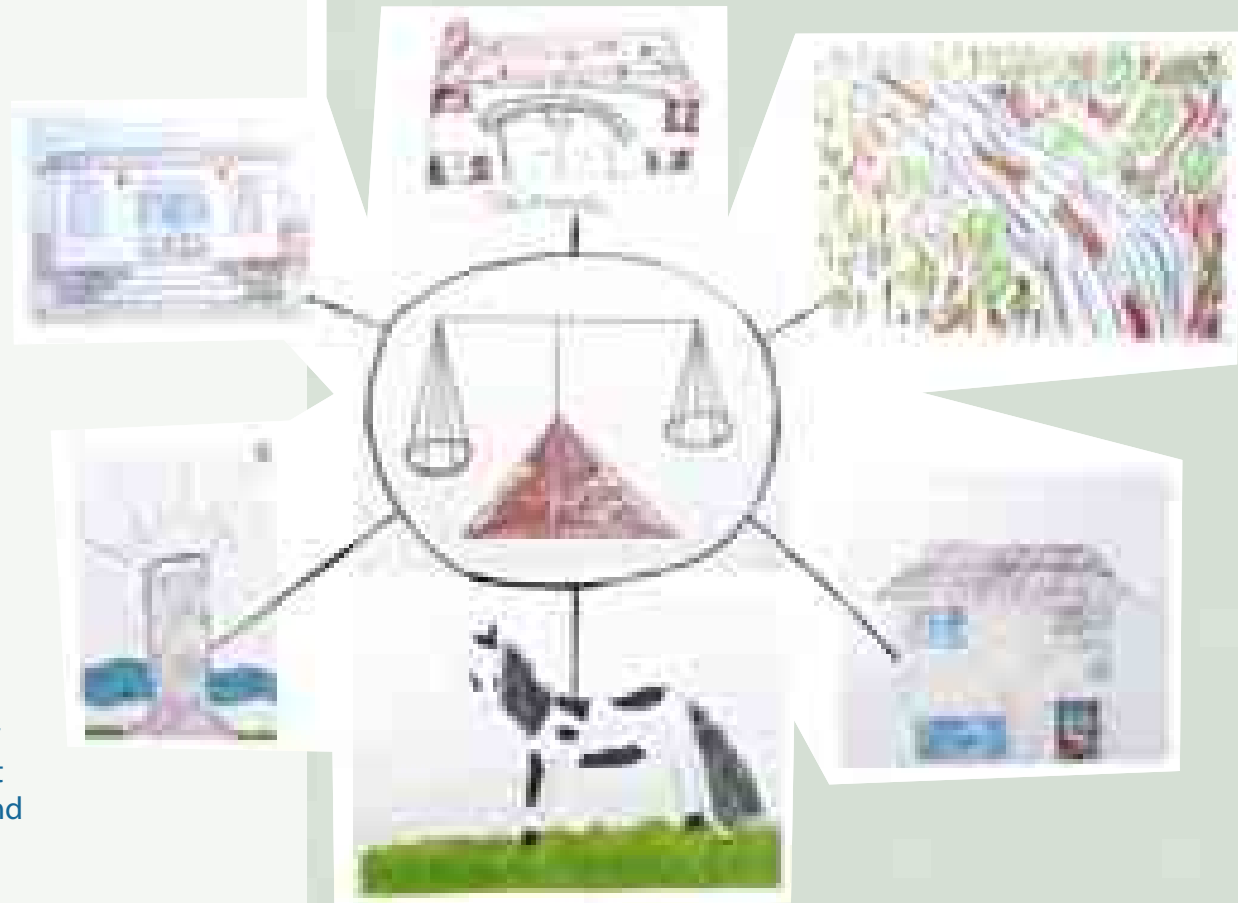
**This booklet has been written especially for Gypsies and Travellers as a guide to planning their caravan sites. It is produced by the Welsh Assembly Government.**

### What is planning?

Planning is the national system which manages the use and development of all land. This includes housing, schools, factories and most other purposes.

Planning aims to manage new development so that everyone benefits. It tries to balance the need for things like new houses with the need to protect the environment. The idea is to create better places for everyone to live, work and relax in.

In the same way that planning covers schools, houses and businesses, it also covers Gypsy and Traveller sites. Planning decisions affect the lives of your community and the area where you live. This means that you and your community need to understand the planning system and get involved in it.



## Who is this guide for?

When we say 'Gypsies and Travellers', we mean

- people who belong to a community with a culture of travelling,
- including people who have stopped travelling because of the education or health needs of their family.

There is separate planning guidance for travelling showpeople (see page 28).

## What is this guide about?

There are many different ways of organising Gypsy and Traveller sites. For example, they can be set up by councils or by private families or companies. Pitches can be for rent or your own property. All of them have one thing in common: they need to follow the planning rules.

This booklet explains

- how to tell your council where you think new sites are needed;
- how to apply for planning permission for building a new site for you and your community on your own land.

## Other things to consider

When preparing to set up your own caravan site, you should also consider the following points which are not discussed in this booklet:

- You will need to design what your site will look like. Guidance on site design is available from the Welsh Assembly Government's Inclusion Unit. For their contact details see page 27.
- You are likely to need a caravan site licence in addition to a planning permission. You should apply for such a licence from your local council.

In any case, it is best to speak to the local council **before you buy land** for your caravan site. They can advise you which land might be suitable and what you will need to do to set up your site.

## Planning ahead

If you are worried about finding a legal place for you and your children's families to stay in the future, the best thing you can do is help your council\* when they are planning ahead. This is when they make the rules which may make it easy or difficult to find a legal place for you and your family in the future.

There are two main parts to planning ahead for new sites.

- 1 First, the council\* has to find out if new sites are needed for Gypsy and Traveller caravans. This is called an '**Accommodation Needs Assessment**' - see page 6. This is an important opportunity for you to tell the council about your needs.

- 2 If the Accommodation Needs Assessment finds that new sites are needed, the council has to find suitable locations. This is done as part of the '**Local Development Plan**' - see page 10. It is also important that you and your community help them to do this.

\* When we use the word 'council' in this guide, we mean your local authority, which is usually a city, county or county borough council. If you live in a National Park, things are slightly more complicated - please read the note for 'National Park' on page 30.



Finding new legal sites will only work if everyone shows respect for planning rules.



## Five important questions to ask yourself:

- 1 Are you or any of your family living on the roadside or on some other kind of unauthorised site?
- 2 Are you or any of your family living on an over-crowded council or private site?
- 3 If you are living on a site, will your children have difficulty finding a free pitch to move onto when they grow up and have families of their own?
- 4 Are you or any of your family living in a house or flat but want to move back onto a site?
- 5 Do you want to buy land for your own site?

**If you answer 'yes' to any of these questions, it is very important that your council gets to know about what you need and want.**

The best way to do this is through an Accommodation Needs Assessment.

The best way of making sure that there are places available for new sites is through the Local Development Plan.



## How many pitches are needed?

### The Accommodation Needs Assessment

Your council has to count all the people living in its area to see if there are enough flats, houses and sites for everyone. If there are not enough places for all the different people in the community, the council has to plan ahead to find enough land for the new homes which are needed.

Finding out how many flats, houses and sites there are, and if there are enough so that everyone has somewhere suitable to live, is called a **Local Housing Market Assessment**. Your council has to carry out this assessment so that they can plan ahead to provide enough houses and sites.

The part of the Local Housing Market Assessment that looks at the need for Gypsy and Traveller sites is called an **Accommodation Needs Assessment**.



*The Accommodation Needs Assessment is your chance to show you need a new site*





Not everyone wants or can afford the same thing, so your council has to think about all the different kinds of homes people need. For example:

- houses or sites for people to buy or build themselves;
- flats, houses and sites to rent privately;
- council or housing association flats or council Gypsy and Traveller sites.

Your council needs to think about all the people that live in your area as well as those that are passing through. This means that they need to think about temporary accommodation and transit pitches too.

### **How an Accommodation Needs Assessment is done**

By law, councils must ask you and your family what your accommodation needs are. This means finding out what you need to live in, what is suitable to your culture, and what is safe and secure. It is about making sure you have a better choice about where and how you live in the future.

### **When a council carries out an Accommodation Needs Assessment, they need to ask you how you want to live:**

- Do you want to live in a house?
- Do you want to live on a council site?

- Do you want to buy and build your own site?
- Do you want to use transit sites?

### **They also need to know how you are living now:**

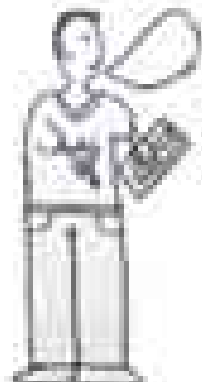
- Do you have somewhere legal to live?
- In what kind of place do you live at the moment?
- Are you secure there and not about to be evicted?
- Is there enough space for you and your family?
- How many adults and children are there in your family?
- Is there somewhere for your children to go once they grow up and have families of their own?

They need to ask these questions so that they can get a clear picture of how many homes/pitches/sites are needed to make sure everyone has a safe and secure place to live in future.

The council must make sure that when they ask these questions, they do it in a way that does not make you feel like they are prying into your personal life. Before asking any questions, they should speak to you as a community and find out what you think is the best way for them to ask the questions.

In some parts of the country, Gypsies and Travellers have helped to decide what questions should be asked, and even gone around and carried out the interviews themselves. This means that it is not someone from the council that is knocking on your door, but someone from your own community who you know and trust.

You do not need to give your name when you answer these questions, but you must be truthful so that the information shows what you really need.



*The council will aim to ask you questions in a respectful way*

*Your council needs to know about your accommodation needs so they can plan for new pitches and new sites*

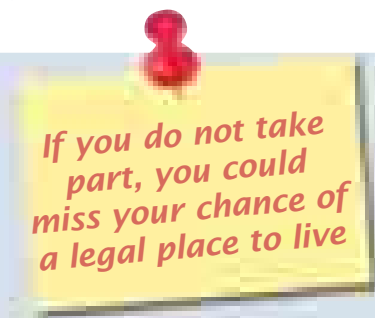


### **Why the Accommodation Needs Assessment is important to you**

If there are not enough pitches for Gypsy and Traveller caravans in the area, your council must try to find land for new caravan sites. But first of all they need to find out how many pitches are needed, and what sort of pitches. They need to look in detail at how many Gypsies and Travellers there are in their area, and what those Gypsies and Travellers need and want. This is what Accommodation Needs Assessments are all about.

The Welsh Assembly Government wants the Gypsy and Traveller community to be involved from the start of the assessments, otherwise they will not work. This means that your council needs to ask you to help them understand what you need and want. It also means that you as a community need to work with your council to help them understand what you want, and why it is important to you.

Your council should speak to you as an individual but also meet with you as a community.



### **What happens if you do not take part in the Assessment?**

If you do not work with your council and tell them what you and your family need, they will not be able to plan ahead properly for the number of new sites and pitches that are needed.

### **What happens if your council does not ask you to take part?**

If your council does not carry out an Accommodation Needs Assessment properly and with your help, they will not be able to plan ahead for the sites which need to be built. They will not be able to make good policies in their Local Development Plan (see pages 10-13). In this case the independent Planning Inspector who checks the policies of the council's Local Development Plan may change some policies.

It can also happen that the council refuses planning permission to a Gypsy or Traveller family on the grounds that sites are already available in its area and the family goes to appeal. An independent Planning Inspector may then give the family planning permission, if the council has no reliable information to prove that there is no shortage of accommodation for Gypsies and Travellers in their area.

## Where should new sites be?

### The Local Development Plan

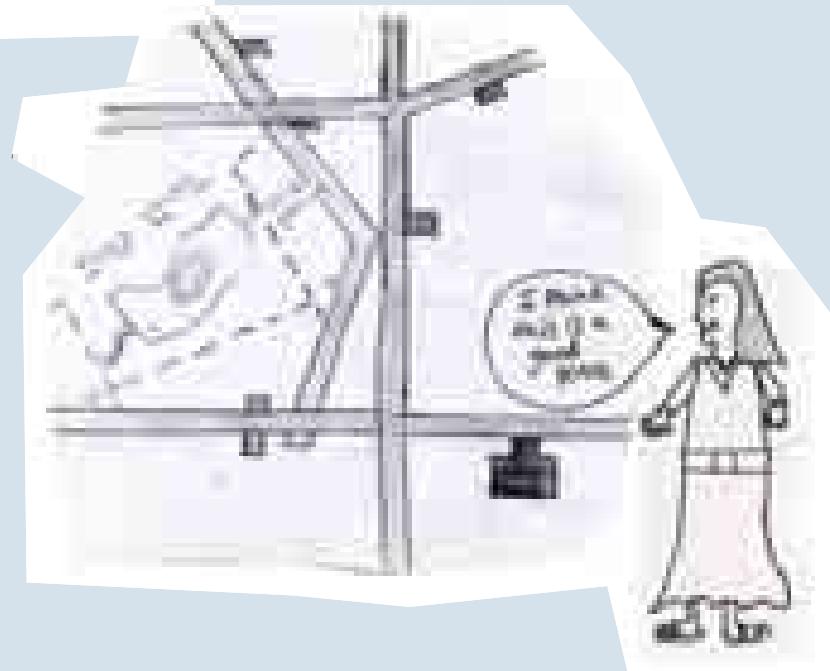
If the Accommodation Needs Assessment shows new Gypsy and Traveller sites are needed in the area, your council must work with you to find suitable places for new Gypsy and Traveller sites. Suitable places will be shown in the '**Local Development Plan**', which your council needs to prepare.

The Local Development Plan helps decide which uses of land, such as housing, can happen in which places. It contains a set of rules (usually called 'policies') which are used to decide planning applications for all kinds of development. For an explanation of the planning application process, see page 17.

Local people, including Gypsies and Travellers, should take part in preparing the Local Development Plan. Your council has to listen to comments made by local people and groups and take them into account.



*The Local Development Plan sets out where new sites should go. You can have a say in this by taking part in preparing the Plan*



Before starting work on the Local Development Plan, your council prepares a '**Community Involvement Scheme**'. This is important because it sets out how and when local people will be involved. The Community Involvement Scheme must say how Gypsies and Travellers will be involved in preparing the Plan. It should also say how you and your community will be involved in ways which respect your customs and ways of life and builds trust.

**When your council asks your views, it is important that you do not miss out on the chance. You and your community are the best people to say which places you want to live in. Your comments and views will help improve the Local Development Plan, making it easier for you to find a legal place to stay in the future.** You can make sure you do not miss the chance to give your views by contacting your council's planning department and asking them about the Local Development Plan.


If you want help in understanding how the Local Development Plan is prepared, or if you want advice about the best ways to get your views across, you can ask **Planning Aid Wales** for help. See page 27 for their contact details.

### **Finding suitable places for new sites**

Imagine that an Accommodation Needs Assessment shows a clear need for new Gypsy and Traveller sites in the area. The Local Development Plan will need to show enough new sites to meet the need, with the new sites being suitable and likely to be developed.

The council should work with your community to find new sites which are suitable and likely to be developed. The Welsh Assembly Government's circular *Planning for Gypsy and Traveller Caravan Sites* (especially paragraphs 19, 20 and 21) describes what makes a site suitable. You can find a summary of this on page 14 below. Sites can also be identified that are suitable for living and running a business.

If your council has not finished its Accommodation Needs Assessment but wants to prepare a Local Development Plan, it has to use lots of other information about the need for new sites - not just the six monthly caravan count.



*If new sites are needed, the Local Development Plan makes sure there are enough suitable places for them to be built*



### **If there are not enough suitable places**

If your council cannot show enough sites in its Local Development Plan to meet the need for new sites, it has to give very clear reasons why. If this does happen, the Plan should set out clear rules to explain which kinds of land will be suitable for new sites. These rules are usually called 'criteria based policies'.

The set of rules must be fair and should not make finding new sites too difficult. More details about what your council should do when there is a shortage of land for new sites can be found in paragraphs 24-25 of the Welsh Assembly Government circular *Planning for Gypsy and Traveller Caravan Sites* (see page 28).

### **Why the Local Development Plan is important to you**

If you want to set up your own site, or if you want the council to set up a new site, both will need planning permission (even if it's the council who wants to build it). When someone applies for planning permission, the council looks at its Local Development Plan. If the Plan says Gypsy and Traveller sites should be allowed, where the new site is to go, then the site will probably get its permission.

This is why it is important that you let your council know where you want new sites and what sort of sites. While the council prepares the Local Development Plan, they need to listen to you. This is a great opportunity for you to influence future decisions about Gypsy and Traveller sites and to make sure that you can live where you want to live.

### **What will happen if you do not take part?**

If you do not take part in preparing the Local Development Plan, it may end up showing locations for Gypsy and Traveller sites that are not suitable.

If you then apply for your own site somewhere else, the council may refuse it permission. They will be able to say that the Plan shows space for Gypsy and Traveller sites, and that you should go there.

If you tell your council during the preparation of the Local Development Plan which places would suit you, they are more likely to put them in the Plan. For this reason, it is very important that you let your council know what kind of sites you want.





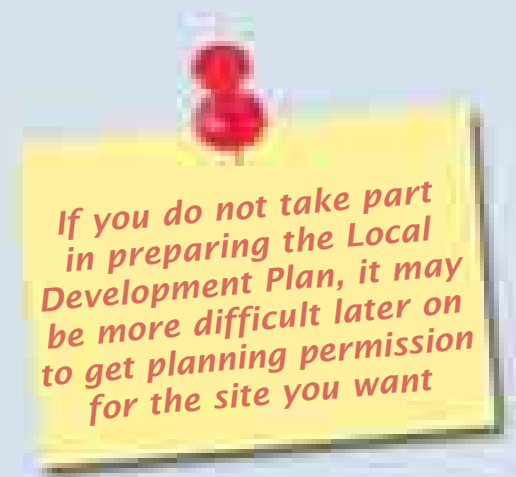
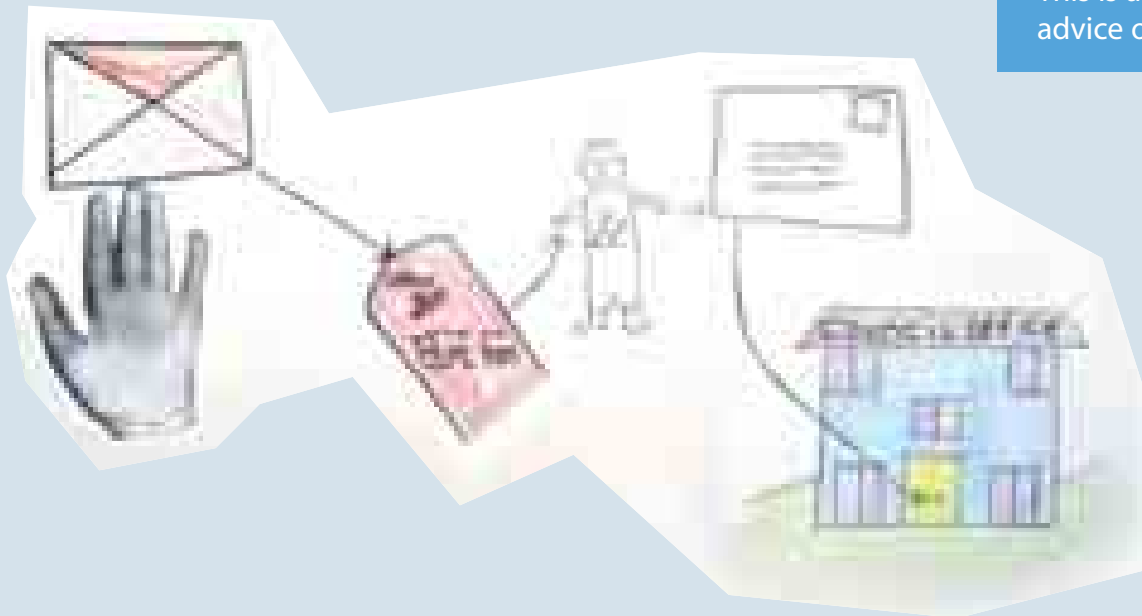
### What happens if the council does not ask you to take part?

Your council should try to include you and your community in preparing the Local Development Plan. If it does not include you, it will not be able to plan ahead properly for the sites which need to be built.

If your council does not include you after you have asked to be involved in preparing the Plan, you should complain to the council first. If you do not get a satisfactory response from the council, you can then complain to the Public Services Ombudsman for Wales.

You and your community can also put your comments in writing in a formal letter responding to the council's Local Development Plan consultation documents, which are available for anybody to comment on the council's website and in public libraries. The council will need to respond to your comments, and if it cannot come to an agreement with you, the issue can be looked at by an independent Planning Inspector.

If you want to know more about getting involved in preparing the Local Development Plan, or if you need help to make a complaint, contact **Planning Aid Wales**. This is a charity that gives free, independent and professional advice on all planning matters.



## Suitable places for new sites

There are some planning rules about where Gypsy and Traveller caravan sites can go. This section explains the most important ones.

New sites should be 'sustainable'. This means that

- the site should not harm the local environment;
- there should be enough space for the family or community group to grow in the future;
- they should be easy to reach and close to essential services such as shops, schools and doctors;
- where possible, they should be in or near to an existing town or village;
- where possible, they should contribute to a network of transit stops.

When your council is thinking about which sites to include in the Local Development Plan, it will look at all the different possible sites to see how sustainable they are.

## Unsuitable places for new sites

- In National Parks, green belts, green wedges or other areas of special protection, development is controlled more strictly. It is much more difficult to get planning permission in these areas than elsewhere. Councils should avoid pressure for new sites in these protected areas by finding land in more suitable areas.
- New sites should not put too much pressure on local roads and services.
- New sites should not damage the local environment or be in places which are at risk of flooding.
- New sites should not cause too much noise or other disturbance to local people. This might be caused by vehicles coming into or moving around the site, or from businesses which are run on the site.





### Places which may be suitable for new sites

- New sites can sometimes be allowed in areas of only local landscape or wildlife importance.
- New sites can be allowed in other countryside areas, in towns or cities, or on the edge of built up areas.
- New sites are more likely to get planning permission if they fit in with their surroundings.
- On land which has been developed in the past, but is now untidy or derelict, a new site which is well planned and landscaped can help to improve it.





### Running businesses on sites

Some Gypsies and Travellers run businesses from the site they live on. In planning terms, these sites are different from sites where people just live. If suitable sites for a mix of uses - living and business - cannot be found, your council should try and find separate sites for residential and business uses which are close to each other.

A mix of uses is not usually allowed on 'rural exception sites'.

### 'Rural exception sites'

If the Accommodation Needs Assessment shows that new sites are needed, in rural areas your council should think about having a 'Gypsy and Traveller caravan rural exception site' policy in the Local Development Plan.

This type of policy allows new sites to be developed on land which is next to a village or town, but where new housing would not normally be allowed. Councils can use rural exceptions policies for affordable housing for people who already live in the area, or for people who have links with local families or jobs.

If the council's Local Development Plan contains a 'Gypsy and Traveller caravan rural exception site' policy, Gypsies and Travellers with local links may be able to get planning permission on a site which would normally be refused.



*In some places you may be able to run your business from your site*

## Applying for your own site

If you want to set up a new caravan site, you will need to get planning permission from your 'local planning authority'.

(To keep things simple, we use the word 'council' instead of 'local planning authority'. All you need to remember is that in the three National Park areas, the national park authority is responsible for planning. Everywhere else in Wales, your local planning authority is your county, city or borough council.)

Councils should offer advice and support to Gypsies and Travellers wanting to set up a private site.

Applying for planning permission for a caravan site is similar to applying for permission for a house or any other development.

Planning applications for new sites are usually decided in line with the Local Development Plan (or a previous development plan if the Local Development Plan is not yet finished). Other things which might be considered include how a new site will affect the local area, the need for a new site in the area, and whether there are particular reasons for selecting the site you have, such as family circumstances, work or other requirements.

There are organisations who can help you through the planning application process. One of them is **Planning Aid Wales**, who can give you free professional advice and support. You can find their contact details on page 27.

*Your council should be helpful*

*Think about asking an organisation like Planning Aid Wales for help*

## How to apply for planning permission

### Step 1

First, find a piece of land you would like to live on which is in a suitable place. You can use the criteria on pages 14 to 16 of this booklet to work out which sites and areas are most likely to be suitable. If your Local Development Plan shows land for Gypsy and Traveller sites, these are the best places to go for.

You don't need to buy the land yet and you may regret buying it if you are not able to get planning permission.

**You do not have to own a site before applying for planning permission.** But the price you will have to pay for the site may rise if you do get planning permission.

And remember, do not pull onto land before you have planning permission - it may harm your chances of getting a permission and possibly create tension within the local community.

### Step 2

Find as much information as you can about the land you have in mind. The most important things to check are:

- Is there a legal restriction (or 'covenant') on the land which means it can only be used for certain things? Your local Land Charges Register should show any legal restrictions. You can ask to see it at your council's offices.
- Is the land in an area where development is restricted, for example a green belt, green wedge or other protected area? If it is, it is likely to be more difficult to get planning permission there. To find out if the land is within a protected area, contact the planning department in your council.
- Is the land likely to flood in the future? You can find out this information from the Environment Agency Wales. If your land is shown by the Agency maps as likely to flood, you might still be able to get planning permission but it will be more complicated. The Environment Agency usually asks for a written technical report proving that the risks of flooding can be managed.

*Use the criteria on pages 14 to 16 to find a suitable piece of land*

*Find out as much as you can about the land you are interested in*

### Step 3

Collect as much information as you can about your caravan site project - you will need it before you go to meet the planners at your council. They will want to know

- in which areas you have been looking for a site;
- your reasons for choosing your chosen site (such as family circumstances, work or other things);
- whether there are any other possible sites (and if there are, why you think they are not suitable);
- the number of caravans pitches you need;
- how many people on foot and in vehicles will be coming onto the site;
- how close the site is to a tarmac road and how people will get onto the site from the road;
- how close the site is to schools and other facilities;
- land levels and condition;
- how the site can be landscaped or screened;
- how it fits in with other land uses nearby.



*Collect as much information as you can to help your application*



#### Step 4

It is always best to discuss your plans with the council before putting in a planning application. This usually means setting up a meeting with the planning officer who is responsible for dealing with planning applications in the area of your chosen site. At this meeting, you will find out if the council needs you to check some of the information you have shown them, or add to it. You could also save the cost of the planning fee if there is a clear planning reason why you may not get planning permission on your site.

#### Step 5

If there is reasonable hope of getting planning for your site, you should think about applying for permission. To do this, you need to fill in a planning application form and give it to the council. If you are not confident about filling in the form, a council planning officer will be able to help. With the form you also need to provide any other information which the council needs to make a decision. There is a fee for the application.

Remember, if you are not the owner of the site and you do manage to get planning permission for it, the price of the land is likely to rise.



## Step 6

The council will usually decide on the application within eight weeks of receiving it. Wait for the council to decide your application before doing anything - you must not pull onto the site until planning permission has been given.

Over these eight weeks, the council will get in touch with people and organisations that might be affected by your application. These people include any neighbours of the site, the local community council and the highways authority. They should tell local people about the application and ask for any comments by putting a notice up at the site, by writing to them, and/or by advertising in a local newspaper.

All the information you send with your application form will be available at the council offices for anyone to look at. Anyone can write to the council to comment on your application, either to support or object. You can ask other people (e.g. a local councillor, teacher, health visitor or neighbour) to write to the council to support your application.

You will have a right to see all the comments that the council has had about your application. The council cannot refuse an application simply because a lot of people are against it. But if they receive comments that are relevant to the planning issues involved, they do have to consider those. The personal circumstances of the applicant are not usually relevant to planning and will not normally be taken into account by the council.

## How your application is decided

The council will send you a letter to tell you their decision on your application. There are three ways the council can decide. It can

1. give a permanent planning permission for the site,  
or
2. refuse the application,  
or
3. give a temporary planning permission.



### Permanent planning permission

Planning permission is usually permanent. Often a planning permission comes with 'conditions' to explain things that you will need to do as part of your development before the site has full planning permission. A condition can be to do with improving road access into the site, tree planting, or who will live on the site. The Council has the power to make sure that you comply with these conditions.

### Refusal of planning permission

The council should not refuse an application without good reasons. For example

- It should not refuse an application just because the person making the application has no links with the area.
- It should not refuse applications just because a site will create only a small increase in local traffic.

Possible reasons why the council may refuse an application are

- if it is not in line with the Local Development Plan (see page 10);
- if the council can show that there is suitable land for new sites in another area.

### Temporary planning permission

A temporary planning permission can sometimes be given for a site in an unsuitable place. But this might only happen if new sites are urgently needed in the area and there are no other suitable places. Sometimes, if new sites are going to be developed in the future, a family may be given a temporary permission to stay in an unsuitable place until then.

It is unlikely that a temporary permission will be turned into a permanent one later, but it is possible to extend a temporary permission.

A temporary planning permission can come with 'conditions' in the same way a permanent permission can.





## Your right to appeal

If the council refuses planning permission for your new site, or gives permission but with unreasonable 'conditions', you can 'appeal'. You can also appeal if your council takes too long to decide your application.

If you do appeal, an independent Planning Inspector appointed by the **Planning Inspectorate** (who act for the Welsh Assembly Government) will look again at the application and the reasons for refusal, or the 'conditions' if it is a permission.

You must appeal within six months of the decision. To make an appeal, you will need to fill in a special form. You will not usually have to pay any money for this, and you will not usually have to go to a 'hearing' or meeting.

You should hear about the result in around 16 weeks after sending in the form (except if you have asked for a 'hearing'). The Inspector can decide

- to allow your appeal (meaning you get planning permission, or changed conditions);  
or
- to dismiss it (meaning you do not get planning permission).

Appeal forms are available from the Planning Inspectorate. For their contact details see page 27

### Going to court

Decisions made by a Planning Inspector on a planning appeal are final, unless they are successfully challenged in the **High Court**.

To be successful in the High Court, you would have to show that

- the Inspector had gone beyond his or her powers;  
or
- the Inspector did not follow the correct procedures and so damaged your interests.

Think carefully before taking legal action, because it can be very expensive. Before taking any action, you should try to find out more from planning and legal advisors. Organisations such as Planning Aid Wales may be able to provide help. See page 27 for their contact details.

*If your application  
has been refused  
you can appeal*

*Ask for advice  
before thinking  
about going to  
the High Court*

## Living on a site without planning permission

It is not a criminal offence to live on land without planning permission, if you have permission from the landowner. But if you have not got planning permission, the council has powers to move you (see below).

Living on a site without planning permission is called 'unauthorised development'.

It is possible to make an unauthorised development legal. There are two ways to do this - a 'Lawful Development Certificate' or a 'retrospective planning permission'.

### **Lawful Development Certificate**

If people have been living on the site for many years, you might be able to get a 'Lawful Development Certificate.' If you can get one, you will have the right to continue to use the site. However, if you ever want to develop the site any further, you will need a separate planning permission.

You need to fill in a form from the council and pay a fee. You must be able to prove that the site has been used continually for at least ten years. Also, you have to prove that any buildings on the site have been there for at least four years.

Your proof for this must be very strong and not just your word or the word of your friends and family. You will need to provide things like signed witness statements and other types of evidence that will stand up in a court.

### **Retrospective planning permission**

If your site does not qualify for a Lawful Development Certificate, you can still apply for planning permission after you have moved onto a site. This is called a 'retrospective planning application'. The process is exactly the same as described on pages 17 to 22.



## Action against unauthorised development

Councils have powers to take action if land is being used for something that does not have planning permission. This is called '**enforcement**'.

### Step 1



An enforcement officer will visit your site to decide whether any planning rules have been broken. If they have, he or she will tell you what you can do to make things right. You may be asked

to apply for retrospective planning permission or for a Lawful Development Certificate (see above). If this is successful you will be able to stay.

### Step 2

In more serious cases, such as if your retrospective planning application is refused, you may be given an official '**enforcement notice**'. This sets a time limit for you to put things right, such as by leaving the unauthorised development. But you can appeal to the Welsh Assembly Government against the enforcement notice, and you can also appeal against refusal of planning permission (see page 23). You can then stay on the site unless your appeal is dismissed.



### Step 3

If your appeal against the enforcement notice fails, and you still do not do what the enforcement notice asks, you will be committing a crime. The council will be able to take you to court. The court can fine you, or order that you are removed from the site.



It is possible to argue in the courts that your human rights will be affected if you have to move. But this has had limited success in the past. At this stage, it is probably best to find another site.





## Where to find further information

### Useful contacts and websites

#### The Welsh Assembly Government

##### Planning Division

Responsible for developing the planning system in Wales. It produces guidance for local planning authorities (see some of its documents listed below).

Telephone: 0845 010 3300

Website: [www.new.wales.gov.uk/topics/planning](http://www.new.wales.gov.uk/topics/planning)

Address: WAG Planning Division, Cathays Park, Cardiff CF10 3NQ

##### Inclusion Unit

Provides guidance on site design and management.

Telephone: 0845 010 3300

Website: [www.new.wales.gov.uk/topics/housingandcommunity/communitycohesion/gypsytravellers](http://www.new.wales.gov.uk/topics/housingandcommunity/communitycohesion/gypsytravellers)

Address: Inclusion Unit, Welsh Assembly Government, Merthyr Tydfil Office, Rhydycar, Merthyr Tydfil, CF48 1UZ

#### Planning Aid Wales

Provides free information and advice about planning. It can help you with applying for permission for your own site. It can also support you if you want to take part in preparing a Local Development Plan. There is a wide range of information about planning on its website.

Helpline: 02920 485 765

Website: [www.planningaidwales.org.uk](http://www.planningaidwales.org.uk)

E-mail: [ccc paw@btconnect.com](mailto:ccc paw@btconnect.com)

Address: Planning Aid Wales, Bay Chambers, West Bute Street, Cardiff CF10 5BB

#### The Planning Inspectorate (Wales)

Handles planning and enforcement appeals, and holds inquiries into development plans on behalf of the Welsh Assembly Government.

Telephone: 02920 823 866

Website: [www.planninginspectorate.gov.uk/cymru/wal/index.e.htm](http://www.planninginspectorate.gov.uk/cymru/wal/index.e.htm)

Address: The Planning Inspectorate, Cathays Park, Cardiff CF10 3NQ

### The Environment Agency Wales

Knows about floodplains and other environmental matters that may affect a piece of land you want to live on.

Telephone: 08708 506 506

Website: [www.environment-agency.gov.uk/regions/wales](http://www.environment-agency.gov.uk/regions/wales)

Address: Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP

### The Public Services Ombudsman for Wales

Deals with complaints where people think they have been treated badly by a public body.

Telephone: 01656 641 150

Website: [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

Address: 1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

### Guidance documents by the Welsh Assembly Government

This booklet only gives a brief summary of the planning rules and guidance issued by the Welsh Assembly Government. Below is a list of the original documents referred to in the text of this booklet. These are available from the Assembly Government website (see above), or can be ordered by telephone on 02920 823 683 or e-mail from [assembly-publications@wales.gsi.gov.uk](mailto:assembly-publications@wales.gsi.gov.uk).

*Planning for Gypsy and Traveller Caravan Sites - Welsh Assembly Government Circular 30/2007*

*Guidance on Managing Unauthorised Camping - National Assembly for Wales Circular 04/2005*

*Local Housing Market Assessment Guide - Welsh Assembly Government 2006 (particularly Appendix F Gypsies and Traveller Accommodation Assessments)*

*Site Design Guidance for Gypsy and Traveller Caravan Sites - Welsh Assembly Government, forthcoming*

*Travelling Showpeople - Welsh Office Circular 78/91*

*Planning Your Community: A Guide to Local Development Plans - Welsh Assembly Government 2006*

## Planning words explained

### **Accommodation Needs Assessment**

A survey of Gypsies and Travellers in each council area to find out the numbers of people and pitches, how many more are needed and where. It is part of the Local Housing Market Assessment.

### **Appeal**

A way to challenge a refusal of planning permission. Most appeals are decided by the Planning Inspectorate on behalf of the Welsh Assembly Government.

### **Community and Town Councils**

The local administrative body in a town or community area (known as parishes in England). They are usually consulted about planning issues.

### **Community Involvement Scheme**

States how and when the planning authority will involve local communities in preparing Local Development Plans.

### **Conditions**

Rules attached to a planning permission. Conditions control how different parts of a development should be carried out, such as building materials, landscaping and access.

### **Consult (or consultation)**

Asking people or organisations what they think about something.

### **Council**

Where we use 'council' in this booklet, we mean your local authority or your local planning authority. Usually a city, county or county borough council will be your local authority and your local planning authority. But if you live in a National Park, the National Park Authority is the local planning authority, while

your county or borough council is the local authority for everything else (including the Accommodation Needs Assessment).

### **Criteria based policies**

Rules in development plans that describe what a development must be like so as to be acceptable. These are different from the 'rules' set out on maps.

### **Development**

Building something on land, or using the land for a new purpose.

### **Development plan**

A document which contains policies on how and where development should happen in a local planning authority area. The most recent version of these are 'Local Development Plans'.

### **Enforcement**

Action that can be taken by a local planning authority against a development (which includes new buildings or changing the use of land) which has not got planning permission.

### **Green belt/green wedge**

Land around some cities or towns, which the council aims to keep 'green' and free from buildings and development. Green belts and green wedges are marked in the Development Plan.

### **Landscaping**

Plants, trees, fences, paths and other structures that are put around a building to hide it or make it fit in better with its surroundings.

### **Lawful Development Certificate**

A legal document that states planning permission is not required for a particular development on an individual site.

### **Local Development Plan**

A document which contains policies on how and where development should happen in a local planning authority area.

### **Local authority**

City, county and borough councils. These are responsible for schools, housing and many other local services. Sometimes also called 'unitary authorities'.

### **Local planning authority**

The council (or 'authority') that is responsible for preparing development plans and deciding planning applications. Usually the same as your local authority, apart from in National Parks, where the National Park Authority is the local planning authority.

### **National Park**

National Parks were set up because of their special landscapes and environments. If you live in a National Park, the National Park authority is your local planning authority, while your county or borough council is the local authority for everything else (including the Accommodation Needs Assessment).

### **Planning**

The system which allows the Government and local authorities to control how, when and where land is used.

### **Planning application**

Used to get planning permission for a development. Planning applications are usually decided by local planning authorities. They are either approved or refused on whether they are in line with policies in the development plan and other issues that are relevant to planning (called 'material considerations').

### **Planning Inspectorate (Wales)**

An agency which acts independently for the Welsh Assembly Government. It is responsible for processing planning and enforcement appeals, and holds inquiries into local development plans.

### **Planning permission**

A document stating that a local planning authority has allowed a building to be built, or that buildings or land can be used in a certain way.

### **Policies**

Describe what is acceptable in planning terms, and what is not. Planning applications are decided after taking account of all the relevant policies. Policies are found in development plans.

### **Public Services Ombudsman for Wales**

Deals with complaints where people think they have been treated badly by a public body.

### **Retrospective planning application**

An application for planning permission that occurs after the use of land or the construction of a building has already happened.

### **Stop notice**

A legal notice served by a local planning authority trying to make somebody stop a development or an activity.

### **Welsh Assembly Government**

The national government in Wales headed by Welsh Ministers. It is responsible for the planning system in Wales, and prepares national planning policy.