

Flintshire Deposit Local Development Plan  
Background Paper  
Gypsy and Traveller Site Search

## **Introduction**

The Council is in the process of preparing the Local Development Plan (LDP) which will guide development in the County between 2015 and 2030. The LDP will identify certain locations where new development, such as housing and employment will be permitted, whilst also seeking to protect other areas from development. Once adopted, the LDP will form the basis for making decisions on individual planning applications in the County.

This background paper is one of a range of papers prepared to support the Deposit LDP and explains the Council's rationale and methodology for meeting the identified need for Gypsy and Traveller sites, through allocations in the Plan. Each background paper can be read as a stand-alone paper or in conjunction with the Deposit Plan and the earlier topic papers and other background papers that have been prepared.

The adopted Flintshire UDP (2000-2015) contains a criteria based policy approach towards the provision of Gypsy and Traveller sites but did not allocate sites. The requirement under the Housing (Wales) Act necessitates the identification of site specific allocations and thereby provides the opportunity to make positive provision for a specific housing need which will also enable the Council to apply policy controls to subsequent speculative proposals which may arise in inappropriate locations.

## **Legislation and National Guidance**

### **Housing (Wales) Act**

The Housing (Wales) Act 2014 requires in s101 that '*A local housing authority must carry out periodical assessments of the accommodation needs of Gypsies and Travellers residing in (i.e. who live there) or resorting to (i.e. stay in the area from time to time) its area*'. Each Local Housing Authority is required under s102 to prepare a report of its assessment and submit this to the Welsh Ministers for approval and the Welsh Ministers may approve the report, with or without modification or reject it. Where the report identifies a need, either through the absence of sites or inadequate provision, the Local Housing Authority is required to provide sites for mobile homes, by virtue of s103 of the Act.

### **Planning Policy Wales (Edition 10)**

In relation to Gypsies and Travellers, para 4.2.35 advises that '*Local authorities are required to assess the accommodation needs of Gypsy and Traveller families and to allocate sites to meet the identified need*'. PPW advises that '*Where a Gypsy and Traveller Accommodation Assessment (GTAA) identifies an unmet need, a planning authority should allocate sufficient sites in their development plan to ensure that the identified pitch requirements for residential and/or transit use can be met*'. The guidance

goes on to advise that *'Planning authorities will need to demonstrate that sites are suitable for development and deliverable in the identified timescales'*.

### **WG Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites**

The Circular reinforces that *'The Housing (Wales) Act 2014 places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met. Local authorities are required to exercise their powers under section 56 of the Mobile Homes (Wales) Act 2013, as far as necessary, to ensure Gypsy and Traveller sites are provided for the unmet need. This does not necessarily mean that additional local authority owned sites will be required but where they are needed the local authority is responsible for ensuring they are provided'*. The Circular confirms that *'In order to be able to properly assess the accommodation needs of Gypsies and Travellers, section 101 of the Housing (Wales) Act 2014 introduces a requirement for local authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area. Such assessments are to be carried out at least every 5 years after adoption of the initial assessment in 2016'*.

The Circular provides advice on identifying sites and states in para 35 *'Where a GTAA identifies an unmet need, planning authorities should allocate sufficient sites in development plans to ensure that the identified pitch requirements for residential and / or transit use can be met. Planning authorities will need to demonstrate that sites are suitable and deliverable in the identified timescales. With such policies in place there will be more certainty for all concerned when planning applications are determined'*. Para 36 advises that *'When identifying sites the planning authority should work with the*

*Gypsy and Traveller community. This should include encouraging Gypsies and Travellers and private landowners to put forward candidate sites as part of the development plan preparation process (Development Plan Manual10).*

The Circular advises in para 37 *'Issues of site sustainability are important for the health and well being of Gypsy and Travellers not only in respect of environmental issues but also for the maintenance and support of family and social networks'* and advises that consideration should be given to a variety of matter both within PPW and including the following:

- opportunities for growth within family units;
- the promotion of peaceful and integrated co-existence between the site and the local community;
- access to health and education services;
- access to utilities including water, waste water disposal and waste collection services;

- access by walking and cycling, public transport and private motor vehicles (including emergency vehicles);
- suitable nearby or on-site safe play areas;
- contribution to a network of transit sites which reduce the need for long-distance travelling or unauthorised encampments;
- not locating sites in zone C2 risk of flooding and only considering sites for location within zone C1 risk of flooding in line with guidance contained in TAN 15, given the particular vulnerability of caravans; and
- regard for areas designated as being of international, national and local importance for biodiversity and landscape.

Local Authorities are advised in para 38 of the Circular '*In deciding where to provide for Gypsy and Traveller sites, planning authorities must first consider sustainable locations within or adjacent to existing settlement boundaries with access to local services e.g., education settings, health services and shops*'. Para 39 goes on to say '*Sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries. In assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services. Over rigid application of national or development plan policies that seek a reduction in car borne travel in order to effectively block proposals for any Gypsy and Traveller Site in a countryside location would be inappropriate. Sites should be considered in context and in relation to the local infrastructure, population size and density to ensure they are in proportion to local settled communities*'.

In terms of highways considerations, para 41 of the Circular advises '*Sites, whether public or private, should be identified having regard to highways considerations. In setting their policies, planning authorities should have regard to the potential for noise and other disturbance from the movement of vehicles to and from the site, the stationing of vehicles on the site, and on-site business activities. However, projected vehicle movements for Gypsy and Traveller sites should be assessed on an individual basis for each site. Proposals should not be rejected if they would give rise to only modest additional daily vehicle movements and/or the impact on minor roads would not be significant*'.

Turning to green barriers, para 55 advises '*National planning policy on Green Belts and Green Wedges is set out in PPW23. There is a general presumption against inappropriate development within Green Belts or green wedges. New Gypsy and*

*Traveller sites in the Green Belt or green wedges are likely to be inappropriate development. National planning policy on Green Belts or green wedges applies equally to applications for planning permission for Gypsy and Traveller sites and other residential uses. Alternatives should be explored before Green Belt or green wedge locations are*

*considered. Pressure for development of sites on Green Belt or green wedge land can usually be avoided if the planning authority allocates sufficient sites elsewhere in its area, to meet identified need'. In respect of other designated areas para 56 advises 'PPW contains national planning policy guidance on development in areas with nationally recognised designations – in respect of the statutory landscape designations, development control and statutory nature conservation designations. Any statutory duties associated with a designation must be complied with. That guidance is applicable to planning applications for any residential development within those areas, including for Gypsy and Traveller sites'. Para 57 states 'PPW offers further guidance on local landscape and local nature conservation designations. Planning applications for Gypsy and Traveller sites should be considered in accordance with national planning policy guidance for those designations'.*

### **WG Guidance – Designing Gypsy and Traveller Sites**

*Para 2.9 stresses the need to and benefits of making provision to meet the needs of the Gypsy and Traveller community 'In order to reduce unauthorised encampments and to ensure Local Authorities can effectively enforce against unauthorised sites there needs to be appropriate provision of authorised sites (see Welsh Government Managing Unauthorised Camping guidance). Delivering more sites whether public or private is an issue for the Local Authorities to address, as they have to find local solutions for local needs. Appropriate accommodation provision has a positive and beneficial impact upon access to services for Gypsies and Travellers and a beneficial effect on all in the long-term through better community cohesion and reduced unauthorised encampments'.*

*In terms of site location para 3.16 advises 'Local Authorities should ensure they have analysed findings from the Caravan Count data collection and the GTAA to ascertain any location preferences identified by Gypsy and Traveller community members or any areas of frequent encampments. This analysis should support discussions around identifying sites'. Para 3.17 states 'When considering locations for permanent residential sites, the preferences of community members should be included in the assessment process. However, Local Authorities are not expected to always provide sites in locations which mirror these aspirations. It is recognized other factors such as availability of land, site sustainability and achievability of planning permission will be more significant matters to consider'. Para 3.18 advises 'Gypsies and Travellers may have longstanding connections to a specific area of a Local Authority and may wish to be accommodated there. Local Authorities should take account of these views, especially where the desire relates to continued registration with local services with experience and expertise engaging with these communities. However, Local Authorities should also consider the long-term impact of a concentration of pitches / sites in one particular part of the authority area. It is*

*important the provision of large or multiple sites in one small area does not create spatial segregation of these communities and reduce interaction and long-term inclusion within mainstream services’.*

Para 3.19 states *‘When considering locations for transit sites, Local Authorities should consider the history of encampments in the area. Local Authorities can review Caravan Count data regarding encampments and occupiers reasons for occupying the land to assess whether transit sites would be desirable in the local area. Such sites should also be easily accessible for large vehicles from major roads’.*

Para 3.21 3.21 *‘If a location is considered inappropriate for conventional housing use on the grounds of health and safety, then it should also be considered inappropriate for a Gypsy and Traveller site. A Gypsy and Traveller site should not be located in areas which will have a detrimental effect on the general health and well being of the residents. The location of a site should enable, not hinder, access to services such as health and education’.*

3.22 As with all developments, it is likely that Local Authorities will need to follow the ‘line of best fit’ when assessing potential sites. It may be that none of the potential sites can completely satisfy the guidance in this document. However, Local Authorities should first seek to identify such sites if they exist. The general themes Local Authorities should consider are:

- Access – Local Authority residential sites should be located with access to public roads and footpaths leading to the site. Although access to public transport would be ideal, it may be unrealistic in close proximity to the site in rural settings;
- Suitability of land – A site survey should be undertaken which will identify possible problems such as drainage, risk of flooding, contaminated land etc. Local Authorities should consider whether remediation work to resolve any problems is financially viable. Mobile homes are considered to be highly vulnerable to flooding so sites should not be situated in C2 flood zones. Locations in C1 flood zones should be subject to a justification test.
- Local Services – Ideally located within reasonable distance from education settings, health services and shops. If a site is located, or is going to be located, in a rural area this will not be achievable in many instances. Local Authorities must comply with the Learner Travel (Wales Measure) 2008 (as amended) and associated guidance. For further details please see the Learner Travel pages of the Welsh Government website;
- Environment – sites should not be located next to hazards such as rivers or canals, unless appropriate mitigation can be installed. Locating sites next to industrial sites or major roads should be carefully considered, which may require monitoring of noise and air quality and resultant design measures to reduce the impact.

- Utilities – water, electricity, sewerage, drainage and refuse disposal should be provided on all sites. This may require consultation with utility providers to ensure any essential criteria for new connections is understood.
- Sustainability – the site should be available for use as a Gypsy and Traveller site in the long-term (at least 21 years).

## **Transit Sites**

In terms of site location for transit sites para 6.7 states '*When considering locations for transit sites, Local Authorities will need to consider the most practical place for those who only intend staying in the area for a maximum of three months (but frequently less than this)*'. Para 6.8 identifies that the Caravan Count and data from the GTAA should provide evidence of recent unauthorised encampments in the area and some reasons for them. Local Authorities should analyse this data to find the most preferable site for community members but it should be noted that encampment may occur in available, rather than ideal, locations. Para 6.9 is quite clear that '*It is not recommended transit sites are located adjacent to residential sites*'. Para 6.10 advises that '*Transit sites are likely to need to be situated closer to major transport links to facilitate travelling*'.

## **Flintshire - The Identification of Need**

The Council undertook a Gypsy Traveller Accommodation Assessment (GTAA) in 2015/16 with the final report dated April 2016 (see background documents to the LDP). The Assessment was undertaken by specialist housing consultants Arc4 and the study report was subsequently approved by Welsh Government. The explanation to Policy STR5 in the Preferred Strategy identified a 5 year need of -5 pitches and a Plan period need of 19 pitches as well as the need for a small transit pitch. However, the findings of the Assessment were presented in several permutations as to whether and at what level need exists in the short term. The range of provision over both the 5 year and Plan periods reflected the rapidly changing position at that time in terms of temporary and unauthorised sites and at that time undetermined planning applications. It was difficult to identify an exact need to be met.

In order to address the uncertainty over site provision and the implications for assessing need, an update to the GTAA was undertaken in 2018 with the final report dated February 2019. In the assessment report, table 1.2 explains the assessment of need and identifies a 5 year need for 8 pitches and a Plan period need for 26 pitches. The report also repeats the findings of the initial GTAA in identifying the need for a small transit site. The GTAA Update has been submitted to Welsh Government but has not been approved by Welsh Government as it does not represent a full GTAA. The Update was never intended to be a full needs assessment as the original GTAA is still valid in terms of its shelf life and

findings. Instead, the Update was intended to be a partial update of the original to try to firm up on the identification of need by reviewing site specifics. Although the position in respect of existing sites is still somewhat fluid, the report does identify a firm and specific need. For instance, there is the Dollar Park site at Holywell which has a temporary consent for 7 pitches and a planning application is presently under consideration for a permanent site. Clearly, if this were granted planning permission then the 5 year need for sites would be almost met and the Plan period need would be similarly reduced.

## **Flintshire – the Identification of Sites**

### **Call for candidate sites**

The Council undertook a Call for Candidate Sites between February and May 2014 during which any landowner, developer or other interested person could put forward land for consideration for inclusion in the Plan. Despite some 734 sites being put forward for consideration, no sites were submitted for Gypsy and Traveller Sites.

### **Focused Call for Sites**

In 2017 the Council issued a 'Further Call for Candidate Sites' for both Gypsy and Traveller sites but also for Minerals and Waste sites. As part of this exercise contact was made with known operators of mineral and waste sites and also through the Council's Gypsy Liaison Officer. Although sites were submitted for minerals and waste development, no sites were submitted for Gypsy and Traveller sites. However some sites have come forward after this call for sites through contact with the Gypsy Liaison Officer.

### **Call for Alternative Sites**

Alongside the consultation on the Preferred Strategy (pre-deposit public consultation) was an Invitation for Alternative Sites. The opportunity was presented for additional sites to be put forward for consideration as part of preparing the Deposit Plan. Although 97 Alternative Sites were submitted for consideration, no sites were submitted for Gypsy and Traveller Sites.

### **Assessment of Council Owned Land**

The absence of sites being put forward for consideration as part of the preparation for the LDP has necessitated a different approach in seeking to identify sites to meet the identified need. This has involved an assessment of a number of Council owned parcels of land. This assessment was assisted by an independent planning consultant appointed through Arc4 who undertook the GTAA and subsequent GTAA Update. The sites assessed are set out in the table below and plans of each site are contained in Appendix



1, along with an assessment of each site against key constraints and planning considerations.

<b>Settlement</b>	<b>Site name</b>
<b>Permanent Sites</b>	
Connah's Quay	Dock Rd
Holywell	A5026
Buckley	Padeswood Rd South
<b>Transit Sites</b>	
Connah's Quay	Crumps Yard
Connah's Quay	Dock Road
Deeside	Broken Bank
Greenfield	Greenfield Dock
Sandycroft	Prince William Avenue
Queensferry	Land to the rear of Locketts Yard (existing Riverside site)
Buckley	Globe Way
Flint	Castle Park Industrial Estate

The consultant's approach and the results of the assessment of each site is contained in a report in appendix 2. Only two of the site assessed were considered to have potential. The first of these was the Locketts Yard site which is a plot of vacant land to the rear of the existing Riverside Gypsy and Traveller site. This site is one of the sites allocated in the LDP. The second was the Castle Park, Flint site which the consultant considered had potential as a short term or temporary stopping place. This particular site is now the subject of a planning application for open storage development and is not available at the present time.

The consultant's report is helpful in that provides an independent assessment of sites but also a commentary as to what standard or quality should be sought in identifying and delivering sites. This is not a case of identifying random parcels of land which have no other use or development interest and nor is it a case of identifying land which is constrained in terms of vehicular access, contamination or flood risk etc. The objective is to identify sites which can provide a suitable living environment both for the residents of the proposed sites and for existing nearby residents or land users.

In line with the recommendation of the consultant, local housing associations were approached about the identification and delivery of sites for Gypsy and Travellers but this was not taken up by housing associations as an area of work for further investigation.

## Extension of existing sites

As work has progressed on the Plan, a number of contextual factors have provided the opportunity to identify sites in the Plan. The following sections of the report identify the proposed site allocations and set out the background to how they have arisen as well as commentary on each. Each of the sites has been the subject of a constraints type assessment in the same way as was undertaken for the above Council owned sites, and this is set out in appendix 3.

### Transit Site – Castle Park Industrial Estate, Flint

The Council's re-organisation of its public recycling facilities has seen a number of smaller recycling facilities closed in favour of larger recycling centres. The former civic amenity site in Flint, adjacent to the site assessed by the consultant is one such site. It is well screened by woodland, has an existing vehicular access which satisfactorily served the previous public recycling centre usage. It sits on the edge of Flint which is one of the Tier 1 Main Service Centres identified in the in the LDP, offering a range of employment, services, facilities and transport. With the exception of the vehicular access route passing residential properties on Evans Street, the site is located away from residential areas. The local highway network is deemed suitable to cater for the traffic generation from Castle Park Industrial Estate and the likely traffic generation from 6 pitches at the transit site will not materially affect this situation. The site is considered suitable to accommodate a transit site. Design work has established a capacity to accommodate 6 pitches on the site along with a site managers office as illustrated in the layout plan in Appendix 4. As the site is intended for short term stays it does not offer the same level of facilities as on a permanent residential site such as amenity / washroom blocks.

### Magazine Lane, Ewloe

This is a site which is established and has been the subject of an approach to the Council from site owners, seeking an extension to the existing site.

The site has a planning history which is summarised below:

Application No.	Description of Development	Decision	Appeal
047725	Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retention of existing stables.	Withdrawn 02/09/10	n/a
047896	As above	Refused 12/01/12	n/a
049152	As above	Refused	Dismissed

		12/01/12	
054063	As above	Refused 16/05/13	Allowed
052188	Application for the approval of details reserved by condition 8 (means of access) attached to planning permission 054063	Approved 06/06/14	n/a
052189	Application for the approval of details reserved by condition 9 (visibility splays) attached to planning permission 054063	Approved 06/06/14	n/a
052190	Application for the approval of details reserved by condition 12 (hard and soft landscaping) attached to planning permission 054063	Approved 13/06/14	n/a
054095	Proposed new vehicular access to serve plot 5 only of previously consented gypsy site	Refused 09/03/16	Allowed
054096	Erection of dayroom / amenity building on plot 5 in lieu of previously approved day room approved by permission 050463	Under consideration	n/a
054322	Proposed individual vehicular access points for plots 2,3 and 4 of previously consented gypsy site	Refused 26/05/16	Allowed
057352	Proposed alterations to previously approved day centre on plot 3	Approved 27/09/17	n/a
056863	Application for the approval of details reserved by condition 6 (landscaping) attached to permission 054322	Under consideration	n/a

An earlier planning application (049152) for 5 pitches and utility / day rooms was dismissed on appeal (APP/A6835/A/12/2172161) solely on the grounds of a precautionary approach in terms of concerns relating to unsatisfactory adequate living standards arising from traffic noise and pollution in the absence of evidence to the contrary. The Inspector considered that the proposal resulted in harm through inappropriateness and also harm to the open character and appearance of the countryside. However, the Inspector commented that *'With care, however, the scheme would be reasonably well screened by existing and proposed hedgerows and planting. This would help safeguard the otherwise undeveloped appearance of the site and the surrounding countryside. It is also the case that, since gypsy sites are, in principle, acceptable in rural settings, some impact is to be expected and is not in itself good cause for rejecting such proposals. The scheme would contribute to coalescence between settlements but scale of the threat created would be marginal. These factors temper but do not overcome the green barrier objection'*.

In para 101 the Inspector looked at very exceptional circumstances and commented '*It is necessary to assess whether the combination of supporting factors amount to very exceptional circumstances sufficient to clearly outweigh the harm likely to be caused to the green barrier. For for the reasons I have given that harm is principally by way of inappropriateness. Otherwise the scheme has limited consequences for the open character and appearance of the green barrier and its purposes*'. In para 102 the Inspector went on to comment '*The telling factor in this case is the need for additional pitches and the lack of suitable and available alternatives*'. The Inspector concludes in para 103 '*Very exceptional circumstances are therefore in place sufficient to outweigh the green barrier impacts I have identified*'.

This was followed by a subsequent planning application (050463) wherein an appeal (APP/A6835/A/13/2206627) was allowed and permission granted on 10/04/14 for 5 residential pitches with utility / day rooms. The Inspector, in referring to the findings of the first appeal found that '*very exceptional circumstances outweighed any harm that arose from these matters*' i.e. '*inappropriate development in green barrier, harm to openness of green barrier, harm to character and appearance of the area, highway safety, drainage, ecology and sustainability*'.

The consented site has been developed and is occupied. The site extension proposed in the LDP lies alongside the western edge of the site and is physically well defined by the A55(T) to the south, Magazine Lane to the north and a fence line to the west. With its perimeter hedgerows and trees and modest size the site is quite different in scale and character from the large linear field to the west which is much more open in appearance. The proposal represents a logical extension to the existing site.

The green barrier in the LDP washes over the existing site and the allocated extension site. There are numerous examples of green barriers elsewhere in the County washing over existing housing, farm complexes, commercial development etc. Rather than re-drawing the green barrier to exclude the existing site and the allocated extension, it is necessary to re-examine the impacts of the allocated extension on the green barrier and whether '*very exceptional circumstances*' exist to warrant further inappropriate development within a green barrier.

It is established through the GTAA and the GTAA Update that there is a need for permanent residential gypsy pitches to be met in the County with some of this need arising from the future growth needs of the families now present on this permitted site. Despite a general and focused call for sites to be considered as part of the LDP and an assessment of Council owned sites there is a lack of evidenced suitable and available new sites to be identified as allocations in the LDP. The allocated extension has been promoted by the owner as being available and deliverable and it sits alongside an existing gypsy site where, although the Inspector identified that there was some harm to the green barrier,

this was identified as being limited and was outweighed by the need for pitches at that time. At the present time a need for pitches still exists and there are no other identified options available. The proposal is a modest extension within well-defined physical boundaries and with suitable landscaping and planting, any impact on openness or visual impact on open countryside can be minimized. The extension also allows the opportunity to reconfigure the existing site by remodeling existing pitches whereby scope exists for additional pitches to be created not only on the allocated extension but also on the existing site, as illustrated in the layout plan in Appendix x. This should represent an improvement on the existing situation wherein there has been concerns expressed by the local community about the number of caravans and families resident on the site. With proper design, control and monitoring, the allocation provides an opportunity to bring about environmental improvements and regularise the capacity and use of the site. Taking all of these factors into account it is considered that very exceptional circumstances apply in the present context of the ensuring that the LDP makes provision for the identified needs for gypsy pitches. The limited harm to the green barrier is outweighed by the need for pitches, lack of available alternatives and other benefits arising from the allocation.

### **Gwern Lane, Hope**

This is a site which is established with a valid planning permission and has been the subject of an approach to the Council from site owners, seeking an extension to the existing site to cater for future family growth needs. Again this will be reflected in part of the need identified by the GTAA update.

The existing site has a planning history which can be summarized below:

<b>Application No.</b>	<b>Description of Development</b>	<b>Decision</b>	<b>Appeal</b>
047828	Change of use of land for stationing of caravans for residential occupation, associated hardstanding, day room and septic tank	Refused 15/10/10	Allowed
048942	Application to discharge condition no. 3 and 7 attached to planning permission 047828	Approved 03/11/11	

The Inspector considered the main issue to be whether the proposal satisfactorily met local and national policies concerning the location of gypsy caravan sites or, if not, whether other material considerations justified a grant of planning. The Inspector referred to Circular 30/2007 in that land in rural or semi-rural settings are acceptable in principle for gypsy caravan sites where it is not subject to specific planning or other constraints, but noted that it is to be expected that such sites will have some impact on the local scene. The site had a good existing boundary hedge to the Gwern Lane and to the former orchard

behind Gwern House. However, the site was conspicuous particularly from the north and even more so from the footpaths to the north corner of the site. The Inspector concluded that the site does have a harmful impact on the local scene however, he was confident that this could be mitigated with further natural screening. The Inspector considered that the site and approach roads do not present any significant traffic or parking issues.

The permitted site is now developed and occupied and sits within the southern edge of a larger wedge shaped parcel of land on the western side of Gwern Lane. The southern boundary comprises a mix of trees and hedgerow boundary, the eastern boundary a hedgerow and the western boundary a wooden post and rail fence beyond which is a public footpath linking Gwern Lane with Gresford Road. The site is well screened from Gwern Lane and from Gresford Road but has a more open aspect to the west. The landscape though, features a number of residential properties scattered across the countryside as well as a clustering of dwellings at the junction of Gwern Lane and Gresford Road and the Cae Estyn crossroads. To the west is a large equestrian centre and the former hotel which has since been converted to residential. With suitable landscaping and planting along the western boundary the visual impact of the allocation within the landscape can be reduced. The site is able to accommodate X pitches as illustrated in the layout plan in Appendix X.

The site is clearly in an open countryside location yet it is close to the boundary between Flintshire and Wrexham. It sits between the settlements of Hope, Caergwrle, Abermorddu and Cefn y Bedd and Llay and has access to a range of education, health, employment and other services and facilities. The site is considered to represent a sustainable location for a gypsy and traveller residential facility.

### **Riverside, Queensferry**

The existing gypsy site at Riverside is a Council run facility with 20 residential pitches. The existing site is bounded to the north by the River Dee, to the west by the A484(T) and to the east by existing industrial development. To the south is a vacant parcel of land which is allocated as an extension to the site. The existing site is presently accessed directly off the A494(T) but this is a substandard access with no provision for deceleration or acceleration lanes. Welsh Government are presently progressing a scheme to rebuild the A494(T) bridge over the R. Dee which will involve constructing a new bridge to the east of the existing bridge. This will impact on the existing vehicular access and necessitate the provision of a new access which will utilise a strip of land between the site and Factory Road to the south. The allocation provides the opportunity to remodel the existing site and to develop the allocated site, with a net increase of 10 pitches, as illustrated in the layout plan in appendix X.

The existing and allocated extension site are clearly in the middle of a built up area, being close to the A494(T), industrial development and a waste water treatment works. Nevertheless, it is a well-managed and popular site where there is a desire to achieve the provision of additional pitches. The site is fairly self-contained yet benefits from good communications and is close to a variety of sources of employment, services and facilities.

The site is located within zone C1 flood risk zone in terms of the NRW Development Advice Maps reflecting the fact that it is defended from the R. Dee by physical infrastructure. Within the terms of TAN15 a Gypsy and Traveler site represents highly vulnerable development. TAN15 only permits highly vulnerable development in zone C when it meets the following justification criteria:

<b>Justification Criteria</b>	<b>Commentary</b>
1) Should be located only in an area of flood risk which is developed and served by significant infrastructure, including flood defences (Zone C1 of the DAM) AND	The existing site and allocated extension are within C1 and benefits from flood defences along the R. Dee.
Justification Criteria: 2) Its location is necessary to assist a local authority regeneration initiative or Strategy, or contribute to key employment objectives, necessary to sustain an existing settlement or region AND	The site sits within Queensferry which is a category A settlement in the adopted UDP and a Tier 1 Main Service Centre in the LDP. Both the UDP and LPD policies seek to direct growth to such settlements, particularly through the redevelopment of windfall sites. National and local policies also seek to bring about the re-use of previously developed land.
3) The site meets the definition of previously developed land (i.e. it is not a Greenfield site) and concurs with the aims of Planning Policy Wales (i.e. the presumption in favour of sustainable development). AND	The site represents previously developed land having had a previous industrial use. The use of such brownfield land within a built-up area which is part of a key settlement, concurs with the presumption in favour of sustainable development.
4) A Flood Consequence Assessment has been produced to demonstrate that the potential consequences of a flood event up to the extreme flood event (1 in 1000 chance of occurring in any year) have been considered and meet the	A flood consequences assessment has been commissioned from Weetwood and recommends that subject to finished ground/floor levels being set at X.X AOD then the site is appropriate for the use proposed and the risk from flooding can be acceptably mitigated and managed.

criteria below in order to be considered acceptable.	
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## Conclusions

The preparation of the LDP has been accompanied by a Gypsy and Traveller Accommodation Assessment and a further update, both of which have identified a need for gypsy and traveller pitches over the Plan period. Despite rigorously seeking to identify sites through a Call for Candidate Sites, a further focused Call for Sites, the opportunity to submit Alternative Sites and a review of Council owned land, no suitable sites have been identified. The Plan has therefore responded to market conditions by addressing approaches from the existing gypsy and traveller community to extend existing sites, alongside the extension of an existing Council run site. This provision is supplemented by a small transit site in Flint.

The approach taken in the Plan seeks to meet the identified needs and should place the Council in a stronger position to apply policy controls to the consideration of speculative proposals, although it will still be necessary to consider such proposals on their merits against the criteria set out in policy HN9. The extension to the Riverside site at Queensferry is more involved in terms of infrastructure provision arising from the A494(T) bridge rebuilding programme, but as work on the bridge improvement is scheduled to commence in 2021 and be completed by 2023 the extension to Riverside has the ability to be delivered in the short term.