

Cardiff Replacement Local Development Plan (RLDP)

Gypsy and Travellers

Introduction

1. This note sets out our findings regarding the approach to the provision of accommodation to meet the needs of Gypsies and Travellers in the RLDP. For the reasons that follow, we do not consider the RLDP as drafted is sound and additional provision must be identified.

Need

2. The Housing (Wales) Act 2014 places a legal duty upon local authorities to ensure the accommodation needs of Gypsies and Travellers are met. Where a Gypsy and Traveller Accommodation Assessment (GTAA) identifies unmet need, Planning Policy Wales (PPW) requires local authorities to meet the need for residential and transit use (4.2.36).
3. The 2024 GTAA identifies a need for 117 permanent pitches overall, 73 to meet immediate need up to 2026 and 10 transit pitches. Since the GTAA was published, planning permission has been granted for 4 pitches at Shirenewton, reducing the need to 113 pitches (69 immediate need).
4. Policy H11 states provision at Pengam Green site would be temporary to enable work to progress on firming up proposals to improve and extend the existing Rover Way Gypsy and Traveller site to meet the need for new pitches identified in the GTAA. This work will also investigate options for improving and realigning Rover Way and the wider master planning of the Pengam Green area. At the Hearing there was some question as to whether the allocation may be permanent, Action Point HS4.2 requires the Council to confirm the position.
5. According to Designing Gypsy and Traveller Sites, sites must be able to be occupied as Gypsy and Traveller sites for at least 21 years to be eligible for Sites Capital Grant funding. Action Point HS4.4 requires the Council to confirm delivery of Pengam Green is funded.
6. There is nothing in the Housing (Wales) Act 2014, Circular 005/2018, Planning for Gypsy, Traveller and Showpeople Sites or PPW to say it is acceptable to meet a permanent need with temporary accommodation. If the accommodation at Pengam Green is temporary we require;
 - i. assurance the proposed development is funded,
 - ii. assurance temporary provision would not conflict with the Housing (Wales) Act 2014 and the Equality Act 2025,
 - iii. a clear and deliverable strategy for permanent provision, and

- iv. evidence of consultation and engagement with the Gypsy and Traveller community on the strategy for permanent provision including the use of temporary accommodation.

Permanent Provision

7. The RDLP through Policy H11 allocates a site for 80 pitches at Pengam Green. Whether that be permanent or temporary, we heard at the Hearing, occupiers of Rover Way (21 pitches) would be relocated to Pengam Green to facilitate the proposed improvements to Rover Way and regeneration of the area. We have significant reservations regarding the suitability of the Pengam Green site for residential occupation. Putting that aside for now, with the relocation of the occupiers of Rover Way, Pengam Green would provide 59 new pitches. This leaves a shortfall of 10 pitches with respect to immediate need and 54 pitches overall.
8. Policy H7 of the adopted LDP allows for 'windfall' provision of sites and is identical to Policy H10 of the RDLP. Through Policy H7, only the 4 pitches at Shirenewton have come forward in the 10 years since the adoption of the current LDP. We have no confidence the shortfall in immediate and overall need (54, 10) will be met through windfall provision. Nor, given the poor track record of delivery through Policy H7, do we consider it appropriate to set a trigger for an early plan review.
9. To be sound, the RDLP needs to make provision to address the shortfall by making allocations to provide 54 pitches. Ideally this should include a site capable of being delivered quickly to meet the shortfall in immediate need of 10 pitches that will not be met at Pengam Green.

Transit Provision

10. We acknowledge the Council has been part of a regional forum with the aim of providing transit pitches. Nevertheless, it would appear nothing has been done in the last 2 years. That is not the Council's fault as they were advised by Welsh Government to await a report commissioned on transit provision across Wales. That report is yet to be published but we heard it is unlikely to attribute numbers to any particular area.
11. There seems, therefore, little prospect of a regional approach being agreed any time soon. There would then need to be agreement on which Council would accommodate need identified at a regional level, a site identified, possibly procured, funding secured and planning permission granted. But the GTAA identifies need for 10 transit pitches in Cardiff now.
12. To be sound, the RDLP needs to make provision for 10 transit pitches.

Pengam Green

13. We remain unpersuaded the principle of development is acceptable and the site suitable for residential occupation. In identifying sites, Circular 5/2018, Planning

for Gypsy, Traveller and Showpeople Sites sets out a number of considerations. These include, amongst other things, satisfactory living conditions and regard for areas of international, national and local importance for biodiversity.

Biodiversity

14. PPW recognises SINC's make a vital contribution to delivering an ecological network for biodiversity and resilient ecosystems and should be given protection in development plans (6.4.31). PPW Figure 13 indicates development proposed in SINC's must be subject to the step-wise approach. The first step is to avoid damage to biodiversity and, where harm may occur, decision makers will need to be satisfied reasonable alternative sites resulting in less harm, no harm or benefit have been considered.
15. The site is wholly within the Pengam Moor Site of Importance for Nature Conservation (SINC). The Council's selection process included only land in its own or public ownership. We heard the overriding need in Cardiff is for socially provided accommodation. This would be provided by the Council and we acknowledge focusing on land already in the Council's ownership removes an obstacle to delivery. Nonetheless, it has not been demonstrated there are no alternative sites which would cause no, or less harm to biodiversity, contrary to the step-wise approach.
16. The site lies within the core recreational catchment of the Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. The Preliminary Ecological Appraisal for the site also highlights the proposed use would increase recreational pressure on Cardiff Beechwood SAC. RLDP Policy BG7 resists development which would result in an increase in visitor pressure. The Preliminary Ecological Appraisal for the site points to local provision, Tremorfa Park, other areas and the Wales coast path. However, it is not certain these would qualify as suitable alternative natural greenspace (SANG).
17. RLDP paragraph 7.395 indicates the best approach to mitigating recreation impacts is at a strategic level, likely through contributions to Strategic Access Management and Monitoring (SAMM) or SANG. As highlighted at the Hearing, the Council should consider the impact of recreational pressure and how that will be managed in relation to the SACs in terms of site design, timing of delivery and viability.

Living conditions

18. Welsh Government guidance, Designing Gypsy and Traveller Sites warns a location inappropriate for conventional housing is also inappropriate for Gypsies and Travellers. Further, 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 residents (3.21).

19. The site is opposite a steelworks, close to other industrial and commercial uses and accessed off Seawall Road, heavily utilised by HGVs. Rover Way is also close to the steelworks and we heard the occupiers of Rover Way suffer from problems of noise and dust. A noise survey has yet to be undertaken on the site. It is not known, therefore, whether it is possible to mitigate the impact of noise on prospective residents or, if it is, the impact of any mitigation measures on their living conditions.
20. Acoustic fences and buffers were mentioned at the Hearing, in addition to living conditions, what impact would such measures have on the SINC, its habitat and any wintering bird population? What would be the remaining developable area on site?
21. Circular 5/2018, Planning for Gypsy, Traveller and Showpeople requires consideration to be given to access to health and education services and accessibility by modes other than the private car. Due to their nature, Seawall Road and Rover Way are not conducive to walking or cycling. The Council's own assessment of the site describes accessibility as challenging.
22. We acknowledge the Council's commitment to improve links but residents would either have to negotiate a busy arterial road (Rover Way) or pass through an industrial area to reach the site. This is not good placemaking.

Site size and design

23. Welsh Government guidance, Designing Gypsy and Traveller Sites states new sites should comprise 20 pitches or less, other than in exceptional circumstances and where consultation and engagement have taken place with all stakeholders. The Council and Welsh Government contend the high level of need constitutes exceptional circumstances. We have little sympathy with this argument as the need for 113 pitches is in no small part due to the Council's inaction since the adoption of the current LDP.
24. Where larger sites are developed, possible impacts on community cohesion, access to services and environmental sustainability should be considered. The guidance also states ethnic, cultural or family groupings may also give rise to particular design considerations and where sites are to be shared by different communities a 'tree branch' design may be preferable to a 'circular' design. It also says a circular layout may be impractical for larger sites.
25. Design is a matter for the development management process but the concerns highlighted above are relevant to capacity and, therefore, the number of pitches the site will provide against the identified need. We have seen the proposed masterplan and are sceptical the site is capable of accommodating 80 pitches in a manner that ensures effective community cohesion and with necessary supporting facilities whilst providing decent living conditions and without significant harm to the SINC..

Conclusion

26. We do not consider the site selection process resulting in the allocation of Pengam Green was undertaken in accordance with the step wise approach. Nor, due to its location within a SINC, proximity to SACs and SPAs and close proximity to heavy industry, do we consider the site to be suitable for development and residential occupation. Indeed, the allocation appears to conflict with RDLP policies seeking to protect the environment and safeguard living conditions. Policies SP4(xii), PC1, H9(ii) (iii) and H10(i)(ii)(iii).
27. Nonetheless, the site has been procured by the Council and a planning application is being progressed. We heard planning permission could be granted by the end of 2026, rendering the suitability and soundness of the allocation in the RDLP moot.
28. Pengam Green is allocated for 80 pitches, 59 of which would be new. The shortfall of 54 pitches against identified need will increase if developable area is lost to mitigate harm to the SINC and create decent living conditions.
29. To be sound the RDLP must
- make additional provision for 54 permanent pitches,
 - comply with the Housing and Equality Acts if accommodation at Pengam Green is temporary,
 - set out a clear and deliverable strategy for permanent provision if accommodation at Pengam Green is temporary,
 - make provision for 10 transit pitches,
 - Amend the monitoring indicator for Policy H11;
30. A response to these matters is requested by 30 September 2026.

Monitoring Reference	LDP Policies	Indicator	Target	Trigger	Source Data
1.4	H11	Completion of sites to meet the identified need in the GTAA for 59 permanent and 10 transit pitches	Completion of 73 pitches to meet immediate need by 31/12/27 Completion of 113 pitches to meet overall need by 31/12/30 Completion of 10 transit pitches by 31/12/27	Failure to deliver 73 pitches to meet immediate need by 31/12/27 Failure to deliver 113 pitches to meet overall need by 31/12/30 Failure to deliver 10 transit pitches by 31/12/27	CCC Planning Policy