



Provision for Traveller Sites Development Plan Document Publication

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**John Harrison, DipEnvP, MRTPI
Director of Development and Regeneration
West Lancashire Borough Council**



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Preface

This Provision for Traveller Sites (Publication) Development Plan Document is the final draft of a site allocations document for Gypsy and Traveller and / or Travelling Showpeople sites in West Lancashire. It sets out the objectively-assessed need for Traveller accommodation in West Lancashire, a policy against which planning applications for Traveller sites can be assessed, and sites proposed for allocation to help address the accommodation needs of Travellers.

The Council consulted on options and preferred options for Traveller sites during December 2015 and January 2016; comments received during this consultation exercise have been taken into account in preparing this 'Publication version' of the DPD.

Consultation on this document will run for eight weeks, from Thursday 7 July 2016 – Thursday 1 September 2016. Chapter 5 of this document sets out how comments can be made.

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1 Introduction

The Need for a Traveller Sites DPD

- 1.1 The West Lancashire Local Plan 2012-2027 was adopted by West Lancashire Borough Council on 16 October 2013. Earlier versions of this Local Plan (i.e. Preferred Options, January 2012, and Publication, August 2012) contained a policy on Gypsies and Travellers and Travelling Showpeople (referred to hereafter in the general sense as 'Travellers'). This policy, Policy RS4, was a criteria-based policy whose purpose was to direct Traveller development to the most appropriate places in the Borough, and to provide a means by which planning applications or enforcement cases relating to Traveller development could be judged.
- 1.2 At the Local Plan Examination in early 2013, the Local Plan Inspector advised that he could not find Policy RS4 sound, as it did not meet the national policy requirement, as set out in the government's Planning Policy for Traveller Sites (PPTS, published March 2012), to allocate specific deliverable sites to provide a five year supply of land to meet Traveller accommodation needs. In order that the West Lancashire Local Plan as a whole could be found sound, the Inspector recommended that Policy RS4 be deleted in its entirety from the Local Plan, and that the Council commit to preparing a separate Development Plan Document (DPD) to allocate sufficient deliverable sites to meet Traveller accommodation needs over the Local Plan period. West Lancashire Borough Council ('the Council') is acting upon the Local Plan Inspector's recommendation by preparing this Provision for Traveller Sites DPD.
- 1.3 This document comprises the 'Publication' version of the West Lancashire Provision for Traveller Sites DPD (referred to hereafter as the 'Traveller Sites DPD'). It contains the following elements:
 - A statement of objectively-assessed Traveller accommodation needs;
 - A criteria-based policy against which planning applications for Traveller sites can be assessed (these criteria would also be applicable in enforcement and appeal cases);
 - Proposed site-specific allocations for Gypsies and Travellers, and for Travelling Showpeople.
- 1.4 This Provision for Traveller Sites DPD supersedes the saved Policy DE4 of the West Lancashire Replacement Local Plan 2006 (WLRLP).

Terminology

- 1.5 This Traveller Sites DPD uses various terms to describe the travelling community, as set out below. The term “Gypsies and Travellers” is defined in the government’s Planning Policy for Traveller Sites (PPTS) document (first published March 2012, revised August 2015) as follows:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.

- 1.6 Similarly, PPTS defines Travelling Showpeople as:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

- 1.7 The above definition of Gypsies and Travellers and Travelling Showpeople in PPTS has been changed from the 2012 PPTS definition to exclude people who have ceased to travel permanently. PPTS Annex 1, paragraph 2, advises that in determining whether persons are “Gypsies and Travellers” for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether the persons previously led a nomadic habit of life
- b) the reasons for ceasing their nomadic habit of life
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

- 1.8 The government has indicated that there are no plans to publish guidance on whether a person meets the revised planning definition of a “Gypsy and Traveller”, and that this is a matter for local planning authorities to determine.

- 1.9 For the purposes of this DPD, the general term “Travellers” refers to all groups of Gypsies and Travellers, and Travelling Showpeople.

- 1.10 The term “pitch” is used to denote a pitch on a Gypsy and Traveller site, whilst “plot” means a pitch on a Travelling Showpeople site (also often called a “yard”). This terminology differentiates between residential pitches for Gypsies and Travellers and mixed-use plots for Travelling Showpeople. Gypsy and Traveller pitches should be of a suitable size to accommodate both a static and a touring caravan, plus any associated vehicle(s), and a small amenity building. Travelling Showpeople plots tend to be larger, requiring extra space or to be split to allow for the storage of fairground equipment.

- 1.11 A ‘permanent’ site means a site on which a family or group of Travellers is based, from which they travel. Typically, the Travellers would stay in a static caravan on the site, and use a touring caravan when travelling away. A ‘transit’ site means a site on which different families or groups of Travellers can stay, usually for a few days, whilst passing through the Borough on their way to other destinations or choosing to occasionally visit the area for short periods.

Site Assembly Process

- 1.12 In preparing this Traveller sites DPD, the Borough Council has endeavoured to compile as comprehensive a list of potential 'candidate' Traveller sites as possible, from which to select preferred sites, investigating all reasonable sources of potential Traveller sites. The site assembly process is summarised below, and is set out in more detail in the separate Site Assembly and Site Assessment Report.
- 1.13 The following sources were investigated in order to compile a list of candidate sites for consideration as potential Traveller sites:
- Sites known to the Council by virtue of their Traveller-related planning history, e.g. planning applications, planning appeals, occupation by Travellers, and / or enforcement action;
 - Two "Call for Sites" exercises, carried out in autumn 2013 and summer 2015 respectively;
 - Two rounds of letters to owners of sites in the Council's Strategic Housing Land Availability Assessment, asking whether the owners would be willing to consider Traveller accommodation on all or part of their land;
 - Correspondence with owners / developers of, or agents for, sites allocated for housing, and for safeguarded land in the West Lancashire Local Plan 2012-2027, asking whether they would consider part of the land being set aside for Traveller accommodation;
 - Discussions with other private landowners in the Borough
 - Enquiries to Lancashire County Council (LCC) Estates Department as to the availability of any LCC land in West Lancashire which could be released or sold as a potential Traveller site;
 - Discussions with the West Lancashire Borough Council Regeneration and Estates Team as to the existence or availability of any employment land (redundant or otherwise), or any land in the Borough Council's ownership that could be released or set aside as a potential Traveller site;
 - Requests to neighbouring local authorities to help meet West Lancashire's accommodation needs within their Borough boundaries (see the 'Duty to Co-Operate' section below).

Legal Compliance in the Preparation of Traveller Sites DPD

- 1.14 In order that the preparation of this Traveller sites DPD be legally compliant, regard must be had to national planning policy, the Town and Country Planning (Local Planning) (England) Regulations 2012, the West Lancashire Sustainable Community Strategy, and the Council's Local Development Scheme and Statement of Community Involvement. These are addressed in turn below.

National Planning Policy

- 1.15 National planning policy is set out in the government's National Planning Policy Framework (NPPF), published March 2012. Sustainable development is to be seen as a 'golden thread' running through the NPPF, with paragraph 14 setting out a presumption in favour of sustainable development.
- 1.16 National policy with specific regard to provision for Traveller accommodation is set out in the document Planning Policy for Traveller Sites, first published in March 2012 alongside the NPPF. Three Ministerial Statements were issued subsequently (July 2013, January 2014, March 2015), covering the issue of proposed Traveller sites in the Green Belt, matters of enforcement, and revoking a number of older guidance documents. In September 2014, the government consulted on proposed changes to national planning policy for Travellers, including a proposal to amend the definition of the term "Traveller".
- 1.17 Following the Ministerial Statements and the 2014 consultation on proposed changes to national planning policy, the government published a revised Planning Policy for Traveller Sites in August 2015 (referred to hereafter as 'PPTS 2015'). A summary of the key requirements of PPTS 2015 with regard to plan preparation (set out in Policies B-G, paragraphs 8-13), in relation to the circumstances of West Lancashire Borough, is set out below:
- (i) Local planning authorities (LPAs) should set pitch and plot targets for Travellers which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring LPAs.
 - (ii) LPAs should identify and update annually, a supply of deliverable sites sufficient to provide five years' worth of sites against their locally set targets. PPTS 2015 paragraph 10(a) footnote 4 defines "deliverable" as available now, offering a suitable location for development, and achievable with a realistic prospect that development will be delivered on the site within five years.
 - (iii) LPAs should identify a supply of specific, developable sites, or broad locations for growth, for six to ten years time, and, where possible, for eleven to fifteen years' time. "Developable" is defined (PPTS 2015 paragraph 10(b), footnote 5) as being in a suitable location for Traveller site development and having a reasonable prospect that the site is available and could viably be developed at the point envisaged.
 - (iv) LPAs should relate the number of pitches or plots to the circumstances of the specific size and location of the Traveller site in question and to the size and density of the surrounding population, and should protect local amenity and environment.

- (v) Criteria should be used to guide land allocations, and criteria-based policies prepared to provide a basis for decisions on Traveller site planning applications. These policies should be fair and should facilitate the traditional and nomadic way of life of Travellers while respecting the interests of the settled community.
 - (vi) Exceptionally, where there is a large-scale unauthorised site that has significantly increased the LPA's Traveller accommodation need, and where the area is subject to strict and special planning constraints, then there is no assumption that the LPA is required to meet Traveller needs in full.
 - (vii) PPTS 2015 paragraph 13 requires that LPAs ensure their policies:
 - (a) promote peaceful and integrated co-existence between the site and the local community;
 - (b) promote, in collaboration with commissioners of health services, access to appropriate health services;
 - (c) ensure that children can attend school on a regular basis;
 - (d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment;
 - (e) provide for proper consideration of the effect of local environmental quality on site occupants or others as a result of new development;
 - (f) avoid placing undue pressure on local infrastructure and services;
 - (g) do not locate sites in areas at high risk of flooding;
 - (h) reflect the extent to which traditional lifestyles (whereby some Travellers live and work in the same area) can contribute to sustainability.
- 1.18 The Council considers this document complies with national policy in the following respects:
- (i) The Borough Council has worked collaboratively with neighbouring Merseyside Councils in a joint Gypsy and Traveller Accommodation Assessment (see Chapter 2 below). The Council has also met with neighbours in Wigan, Sefton and Chorley with regard to cross-boundary issues, and is participating in a general Lancashire Gypsy Group. In addition, the Council has been in correspondence with neighbouring local authorities under the 'Duty to Co-Operate' (see section below). Early Duty to Co-Operate work has indicated a general consensus that Traveller accommodation needs should be met in the area in which the needs arise, and that West Lancashire's targets can therefore be based upon need figures for this Borough;
 - (ii) It is considered that the proposed sites for allocation in this document are deliverable;
 - (iii) The proposed sites' capacities have been estimated, taking into account site size, the local population, amenity and environment;
 - (iv) Criteria for Traveller-related planning applications are set out in Chapter 3 of this document; these are considered fair and provide an appropriate balance between the needs of Travellers and the interests of the settled community.

1.19 Through recent case law¹, the 'rights of the child' have become a key consideration of relevance to planning decisions, including those related to Traveller accommodation. Where Article 8 of the 1998 Human Rights Act is

¹ ZH(TANZANIA) v Secretary of State for the Home Department [2011]UKSC and Collins v SSCLG & Fylde Borough Council [2013] EWCA Civ 1193

engaged (as is often the case in planning decisions), the best interests of children will be a material consideration which the decision maker must take into account. Article 8 rights of children are to be seen in the context of Article 3 of the United Nations Convention on the Rights of the Child, which requires those best interests to be a primary consideration. In terms of planning decisions:

- The decision maker must first identify what the child's best interest are;
- The best interests are not necessarily determinative;
- No other consideration must be regarded as more important or given greater weight than the best interest of a child and these best interests must be kept at the forefront of the decision maker's mind as (s)he performs the balancing exercise.

1.20 In September 2015, a further planning policy pronouncement was issued by the government introducing a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. Furthermore, the statement reiterated that most development in the Green Belt is inappropriate and should be approved only in very special circumstances, and that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

1.21 One further national document that has been of relevance in early work on this document is the Designing Traveller Sites: Good Practice Guide, published by the government in May 2008. This document set out how best to design Traveller sites, providing advice on site size, layout, and location. The Good Practice Guide was cancelled by the government on 31 August 2015. Whilst this document has been revoked, it is considered that the advice contained within it (for example on pitch and plot sizes and layout) remains relevant, and the Guide has been taken into account, albeit having less weight, in preparing the site assessment criteria in the proposed Traveller sites policy (Chapter 3) as well as in the site selection process.

Sustainable Community Strategy 2007-2017

1.22 The West Lancashire Local Strategic Partnership prepared the West Lancashire Sustainable Community Strategy (SCS) in 2007. Whilst Travellers are not referred to in the SCS, elements of the document's vision, objectives, and cross-cutting themes are considered to have relevance to the subject matter of this DPD.

1.23 The vision of the SCS is to 'improve the quality of life for all' and is to be achieved by the Local Strategic Partnership working with other bodies to be, amongst other things, 'a place where everyone is valued and has the opportunity to contribute'.

1.24 Of the nine key objectives of the SCS, the following three are relevant:

- To improve health outcomes, promote social wellbeing for communities and reduce health inequalities for everyone;

- To provide more appropriate and affordable housing to meet the needs of local people;
 - To provide opportunities for young and older people to thrive.
- 1.25 Of the eight cross-cutting themes, the most relevant are:
- Reducing deprivation, with the aim to narrow the gap between the most and least disadvantaged people and communities;
 - Social inclusion, equality and diversity, with the aim to improve community cohesion, including for people of all nationalities and ethnicities.
- 1.26 The Council considers that the Provision for Traveller Sites DPD is consistent with, and may, to an extent, help to achieve the above vision and objectives of the SCS. Taking into account the fact that the Council is required by law to provide sites to meet Traveller needs, the DPD does not contravene the SCS.

Planning Regulations

- 1.27 The Town and Country Planning (Local Planning) (England) Regulations 2012 (referred to hereafter as ‘the 2012 Regulations’) set out the process that must be followed when preparing a local plan². The first statutory stage for preparing a document is covered by Regulation 18, which requires that the LPA notify certain specified bodies of the subject of the local plan and invite them to make representations about what a local plan with that subject ought to contain.
- 1.28 Regulation 18 was complied with in autumn 2013 when the Council duly wrote to the specified bodies, as well as a number of other bodies, inviting representations on the Provision for Traveller Sites DPD’s content, and has taken into account the representations received.
- 1.29 Although not required by Regulation 18, the Council also consulted in December 2015 and January 2016 on options and preferred options for meeting Traveller accommodation needs. The representations received during the above consultation and the Council’s responses are set out in the separate “Consultation and Duty to Co-operate Statement” that accompanies this DPD.

² The definition of ‘local plan’, as set out in the 2012 Regulations (nos. 5 and 6), includes any document prepared by the local planning authority which allocates sites for a particular type of use and / or contains development management and site allocation policies intended to guide the determination of planning applications. The Provision for Traveller Sites DPD therefore is a ‘local plan’.

Statement of Community Involvement

- 1.30 The Statement of Community Involvement (SCI) is a document that sets out how the LPA intends to engage the public and other stakeholders when preparing its Local Plan and other local development documents. This includes details of the types of consultation methods the Council intends to use at the different preparation stages of different types of planning documents.
- 1.31 The SCI was first required as part of the 'Local Development Framework' system introduced under the 2004 Planning and Compulsory Purchase Act. West Lancashire Borough Council started preparing its SCI in 2006, the document eventually being adopted in July 2007, and updated with an Addendum in January 2009, reflecting amendments made to the government's Planning Regulations in 2008.
- 1.32 Recognising that the 2007/2009 SCI had become out-of-date, a new SCI was prepared in 2014/15. The new SCI reflects the 2012 Planning Regulations, as well as other changes (e.g. to technology) and was adopted by the Council in June 2016. This DPD has been prepared in compliance with the 2016 SCI.

Duty to Co-Operate

- 1.33 Despite the abolition of the regional tier of planning in 2010, the need for strategic planning remains, in particular the need to ensure coherent planning beyond local authority boundaries. To this end, the Localism Act 2011 introduced the Duty to Co-Operate which:
- requires local authorities and public bodies to engage constructively, actively and on an ongoing basis in relation to planning for sustainable development;
 - requires local authorities to consider whether to enter into agreements on joint approaches or to prepare joint Local Plans; and
 - applies to planning for strategic matters in relation to the preparation of local plans, and other activities that prepare the way for these activities.
- 1.34 The Localism Act and the NPPF require LPAs to fulfil the Duty to Co-Operate on planning issues, including provision for Travellers, in order to ensure that their approaches are consistent, and that they address cross-border issues with neighbouring authorities. The 2012 Planning Regulations set out the organisations which, as a minimum, should be contacted under the Duty to Co-Operate ('Prescribed Bodies').
- 1.35 West Lancashire Borough Council has fulfilled, and will continue to fulfil, the Duty to Co-Operate by working with neighbouring local authorities and other prescribed bodies throughout the preparation of this Traveller Sites DPD.
- 1.36 The government's Planning Policy for Traveller Sites 2015 document (Section 10(c)) requires that local planning authorities consider production of joint development plans that set targets on a cross-authority basis. Given the differing timescales for the different authorities surrounding West Lancashire, the fact that this is a topic-specific DPD, and the West Lancashire Local Plan Inspector's recommendation that the Council have this Traveller Sites DPD adopted as soon as possible, it is the Council's view that production of a joint development plan would not be a realistic prospect.

Determination of Traveller Accommodation Needs

- 1.37 As set out in Chapter 2 below, West Lancashire Borough Council has worked collaboratively with the five Merseyside authorities (including Sefton, Knowsley and St Helens, all of whom directly border West Lancashire) in a joint Gypsy and Traveller Accommodation Assessment (GTAA), which was published in August 2014.
- 1.38 Chorley and South Ribble Borough Councils participated in a joint interim GTAA (with Preston City Council), as required by the Planning Inspectors during their respective site allocations local plan examinations. This GTAA concluded in January 2014 that there was no need for a Traveller site in South Ribble, but a need for five permanent Traveller pitches in Chorley Borough. Chorley BC have since identified and allocated a site in Chorley to meet its identified Traveller accommodation needs to 2026. A further joint GTAA was undertaken by Chorley, South Ribble and Preston Councils and completed in May 2015. This has identified a need for 6 additional permanent pitches for Travellers in Chorley Borough, 22 in Preston, 1 in South Ribble and a Central Lancashire wide need for 4 transit pitches to 2026. The three Central Lancashire authorities are preparing a Gypsies and Travellers and Travelling Showpeople Local Plan, with consultation on Issues and Options taking place May – July 2016.
- 1.39 Wigan MBC are participating in a Greater Manchester GTAA, which is nearing completion. Based on recent discussions with Wigan Council, it is expected that any Traveller accommodation needs in the Wigan area will be met within Wigan MBC boundaries.

Identification of Cross-Boundary Issues

- 1.40 In terms of cross-boundary issues, West Lancashire Borough Council wrote to all the Prescribed Bodies, as well as to a range of other organisations, in November 2013, setting out what it considered were the main cross-boundary issues with regard to the provision of Traveller sites in West Lancashire, and inviting comments on these issues.
- 1.41 West Lancashire Borough Council's understanding of cross-boundary issues at present is as follows:
- It would be desirable for Merseyside authorities to co-operate where possible on the issue of transit site provision (transit sites are intended to meet the short term needs of Travellers who are passing through local authority areas on their way to other destinations or choose to occasionally visit the area for short periods), as Travellers who require such sites are almost certain to be moving between different boroughs.
 - The Council is unaware of any significant cross-boundary issues between West Lancashire and Wigan / Central Lancashire in terms of transit site provision.
 - If each LPA were to meet its own need for permanent Traveller sites (which may be used for Travellers to base themselves throughout the majority of the year, or for Travelling Showpeople to live and store their equipment outside their touring season), there should be no cross-boundary issues in terms of a need for sites. As far as this Council is aware, the neighbouring

authorities of Sefton, Knowsley, St Helens, Wigan, Chorley, and South Ribble are intending to fully meet their needs for permanent Traveller sites within their own boundaries.

- Depending upon the location of any proposed Traveller site allocations, it may be the case that occupants of sites may seek to make use of facilities and services (education, health, etc.) in an adjacent Borough(s). With the exception of Sefton and Chorley, neighbouring authorities are not yet at the stage where sites have been formally proposed for allocation. The allocated site at Chorley is within the settlement of Chorley, reasonably close to facilities in that town and several kilometres from the West Lancashire boundary. Therefore it is not expected that the occupants of the Chorley site would rely upon facilities or services in West Lancashire Borough. Whilst the proposed sites in Sefton are close to the West Lancashire border, the nearest services in West Lancashire (typically in Ormskirk) are considerably further from these sites than comparable services in Sefton (Ainsdale or Formby). Once again, it is not expected, therefore, that the occupants of the proposed Sefton sites would rely upon services or facilities in West Lancashire.
- The proposed Traveller site at Pool Hey Lane Scarisbrick is within 4km by road from Sefton, and there is thus a possibility that the occupants of the sites may use facilities in Sefton (Southport). However, this site is already occupied and is not proposed to be expanded by any significant amount, so its proposed allocation is not expected to lead to any material increase in cross boundary issues.

- 1.42 The Council received 18 written responses to its initial 'Duty to Co-Operate letter', all of them either concurring with the Council's understanding of cross-boundary issues as set out in November 2013, or else having no specific comments to make at that stage of preparation of the Traveller Sites DPD.
- 1.43 A second round of letters was sent to the 'Prescribed Bodies' in September 2015, providing an update with regard to the preparation of the West Lancashire Provision for Traveller Sites DPD, advising of the completion of the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment, and asking neighbouring local authorities whether they have any sites within their districts that could potentially contribute towards West Lancashire's Traveller accommodation requirements. No neighbouring Council indicated that they had any potential sites to help meet West Lancashire's needs.
- 1.44 Similarly, a third round of letters was sent in April 2016, once again providing an update and asking neighbouring authorities whether there was any change in their position. As previously, no neighbouring authorities had any sites that they considered could potentially contribute towards meeting West Lancashire's Traveller accommodation shortfall.

Sustainability Appraisal

- 1.45 A Sustainability Appraisal (SA) of the content of this draft DPD has been undertaken by Council officers, and scrutinised by consultants AECOM. AECOM have also carried out a Habitats Regulations Assessment of the content of this document.
- 1.46 The SA concludes that the proposed Policy GT1: Assessment of Proposals for Gypsy and Traveller and Travelling Showpeople Sites (see Chapter 3 of this DPD) is likely to make a greater positive contribution towards the goal of achieving sustainable development, compared with the alternative approaches of having a less stringent policy in place, or no policy at all. The SA further concludes that the allocation and occupation of the preferred sites would make a positive contribution towards the goal of achieving sustainable development.

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2. Traveller Accommodation Needs

Assessing Traveller Accommodation Needs

- 2.1 This chapter sets out the objectively-assessed need for Traveller accommodation in West Lancashire, and how this has influenced the process whereby potential Traveller sites have been sought.
- 2.2 Since 2006, West Lancashire Borough has participated in three processes that have resulted in the derivation of Traveller accommodation needs figures for the Borough. These are a 2006-based North West Gypsy and Traveller Accommodation Assessment (GTAA), abortive work on the North West Regional Spatial Strategy Partial Review 2008-2010, and the Merseyside and West Lancashire GTAA 2013-14.

North West Regional GTAA 2006

- 2.3 In 2006, an assessment of Gypsy and Traveller accommodation needs was commissioned – *The North West Regional Gypsy and Traveller Accommodation and Related Services Assessment*. This report was undertaken by a team of academic researchers and consultants based in Salford, with research support from members of the travelling community.
- 2.4 The assessment identified that for the County of Lancashire there was a requirement for an additional 205-231 permanent Gypsy and Traveller pitches over the period 2006-2016 plus 7 plots for Travelling Showpeople. At the district level, the assessment calculated that there was a need for 17 permanent Gypsy and Traveller pitches and 3 plots for Travelling Showpeople across West Lancashire Borough over 2006-2016. There was also a need identified for transit pitches within the sub region, but this need figure was not disaggregated to individual local authority level.

North West RSS Partial Review

- 2.5 In January 2009, '4 North West' (4NW), the former regional planning body, started a period of stakeholder engagement on an interim draft policy on the scale and distribution of Gypsy and Traveller pitches and Travelling Showpeople plots.
- 2.6 The proposed requirements for West Lancashire over 2007-2016 were 20 permanent pitches for Gypsies and Travellers and 5 transit pitches. These figures differ to those set out in the 2006 GTAA owing to an attempt to address the issue of 'hidden' overcrowding, which had been raised by the Gypsy and Traveller community during consultation, and a broadening of the geographical distribution of the pitch numbers, in order that greater choice may be available for Gypsies and Travellers in the future. (This contrasted with the GTAA approach, which tends to look at need as it arises, based upon "snapshot" counts of Gypsy caravans.)
- 2.7 The required number of Travelling Showpeople pitches to 2016 was raised from 3 to 5, based on more up-to-date information provided by the Lancashire and North Wales section of the Showmen's Guild, based upon survey work conducted in June 2007.

- 2.8 As part of the consultation process, 4NW sought support from the individual local authorities regarding pitch numbers. West Lancashire Borough Council (WLBC) suggested a revised figure of 14 permanent pitches (based upon the number of unauthorised pitches based within the Borough at that time) and 10 transit pitches (in order to make it easier to direct Travellers to a transit site), whilst supporting the figure of 5 pitches for Travelling Showpeople.
- 2.9 Following the Council's comments a submitted draft was published, setting out the following requirements for West Lancashire:
- 15 pitches on permanent Gypsy and Traveller Sites
 - 10 transit pitches
 - 5 Travelling Showpeople plots.
 - An annual increase of 3% in the level of overall residential pitch provision.
- WLBC supported these figures, and they formed the basis of the now-abandoned West Lancashire Replacement Local Plan Policy RS4.
- 2.10 Work on the RSS Partial Review was halted in 2010 following the Secretary of State's announcement of his intention to abolish the regional tier of planning. The RSS was finally revoked early in 2013, and the RSS and the RSS Partial Review no longer have any legal status.

Merseyside and West Lancashire GTAA 2013-2014

- 2.11 West Lancashire Borough Council participated in a GTAA with the five Merseyside local authorities during 2013 and 2014. This GTAA was carried out on the authorities' behalf by the consultants Arc⁴, who were appointed in March 2013. The final study was published in August 2014.
- 2.12 The Merseyside and West Lancashire GTAA concludes that the need for new Traveller accommodation in West Lancashire, additional to that which already has permission, is as follows:
- 14 pitches on permanent Gypsy & Traveller sites by 2018, rising to 20 by 2028, and 22 by 2033;
 - 4 transit pitches;
 - One site for Travelling Showpeople with a minimum of one residential plot.
- 2.13 As such, and consistent with PPTS paragraph 7, the Council has worked collaboratively with neighbouring local authorities and engaged with Travellers and / or their agents / representative bodies to discuss their accommodation needs in order to gain an up-to-date understanding of the permanent and transit accommodation needs of Travellers in the Borough over the lifetime of this development plan.
- 2.14 With regard to the government's redefinition of the word "Traveller" in PPTS 2015, in the absence of any evidence to suggest the identified Travellers in West Lancashire do not satisfy the new government definition, the findings of the 2014 Merseyside and West Lancashire GTAA will continue to be relied upon until such time as a new assessment is undertaken.

3. Traveller Sites Policy

- 3.1 Policy GT1 below provides a set of criteria against which planning applications for Traveller accommodation should be assessed, either on allocated sites, or elsewhere. The policy will also be applicable in enforcement and planning appeal cases.

Policy GT1

Assessment of Proposals for Gypsy and Traveller and Travelling Showpeople Sites

Broad Locations

Proposals for permanent or transit Traveller sites or pitches should be located in areas where need exists, as demonstrated by robust evidence.

Site-Specific Criteria

Permanent Sites

Proposed permanent sites for Travellers must not lie within Flood Zone 3. In order to ensure that sites are fit for purpose and will provide adequate residential amenity, both to members of the travelling community and to members of the settled community, proposed permanent sites for Travellers should meet the following criteria:

- (i) The site does not lie within the Green Belt, unless very special circumstances are demonstrated;
- (ii) The site, on account of its scale and / or location, would not dominate the nearest settled community in such a way that the prospect of peaceful and integrated co-existence between the site and the local settled community would be undermined;
- (iii) The site is sufficiently far from any refuse site, industrial process, high voltage electricity infrastructure, other hazardous place, or any other process, land use or environmental issue (e.g. flyover, motorway), for there to be no unacceptable impact on the health, safety or general well-being of the residents of the site;
- (iv) The site is not subject to any physical constraints or other environmental issues that cannot be mitigated to an acceptable level, and that would impact on the health, safety or general well-being of the residents of the site, or on non-residents;
- (v) The site is accessible by a public highway that can accommodate typical Traveller-related vehicles without compromising highway safety;
- (vi) The site is not in Flood Zone 2;
- (vii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to a nature conservation designation;
- (viii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to an historic environment or historic landscape designation;
- (ix) The site has mains water, drainage and electricity, or else these services could readily be provided and satisfactory drainage achieved;

- (x) The use of this site as a Traveller site would not place undue pressure on local infrastructure and services;
- (xi) The site is within 1.5 kilometres (or 20 minutes' walk) of a bus route or other public transport facility, and / or it is possible to access from the site by means other than private motor vehicle the following facilities / services:
 - an appropriate health facility;
 - education facilities, in particular a primary school;
 - employment opportunities;
 - shops;
 - other necessary services;
- (xii) It is possible to achieve visual and acoustic privacy on the site without any unacceptable visual impact on the site's surroundings;
- (xiii) The site can accommodate between 3 and 15 pitches.

Transit Sites

In the case of transit sites, these should meet the above criteria, and, in addition should be accessible to the M58, or to the strategic highway network.

Justification

Broad Locations

- 3.2 Policy GT1 is intended to direct Traveller development to areas where there is a need for such accommodation, as demonstrated by robust evidence. As a first recourse, the Council will rely on the findings of the most up-to-date Gypsy and Traveller Accommodation Assessment (GTAA) covering West Lancashire³. Any planning application that departs from the findings of the most up-to-date GTAA will require to be backed up by robust evidence justifying this departure, either an unequivocal demonstration of need in a different area, or a clear demonstration that no sites are realistically available within the GTAA-identified areas of Traveller need.
- 3.3 In the light of the findings of the 2014 Merseyside and West Lancashire GTAA:
- Permanent sites should be located in, or as close as reasonably possible to, the settlements of Skelmersdale, Scarisbrick or Banks;
 - Transit sites should be located along the M58 corridor; and
 - Land for Travelling Showpeople should be located within the Burscough area.
- 3.4 For the purposes of this policy, the M58 corridor is defined as land within 2.4km (equivalent to three minutes' drive time at 30mph) of any M58 junction via a classified road.

³ At the time of writing this document, the most up-to-date GTAA covering West Lancashire is the Merseyside and West Lancashire GTAA 2014. It is expected that GTAAs will be updated approximately every five years.

Criteria

- 3.5 The criteria in Policy GT1 above are based on national policy, as set out in the government's National Planning Policy Framework (NPPF; March 2012), and Planning Policy for Traveller Sites (PPTS; August 2015)⁴ documents. Regard has been had to the advice contained in the document Designing Gypsy and Traveller Sites Good Practice Guide (DCLG, May 2008), although, as this document has been revoked, less weight is attributed to criteria based solely on the Good Practice Guide.
- 3.6 Policy GT1 is intended to facilitate the traditional and nomadic life of Travellers whilst respecting the interests of the settled community. The policy aims to ensure that if a site is granted permission for Traveller development, its development maintains a suitable quality of life, both for residents of the site in question, and, equally, for those living or working in the vicinity of the site. Sites should have reasonable access to facilities and services, and should not cause an adverse impact on neighbouring residents or land uses.
- 3.7 The criteria set out in Policy GT1 are similar to the criteria used in the assessment of potential Traveller sites, as set out in the accompanying Site Assembly and Site Assessment Report. This Report provides more specific detail as to the source of each site assessment criterion.
- 3.8 With regard to the requirement in Policy GT1 that sites lie outside Flood Zone 3, caravans intended for permanent residential use are defined as 'highly vulnerable' development in Table 2: Flood Risk Vulnerability Classification (paragraph 66 of the Flood Risk and Coastal Change section) of the national Planning Practice Guidance (PPG) to the NPPF. Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility' (paragraph 67) states that 'highly vulnerable' development should not be permitted on sites within Flood Zone 3. With regard to criterion (vi), if a site lies within Flood Zone 2, the site must be demonstrated to meet the Exception Test. Furthermore, Policy GN5 of the West Lancashire Local Plan 2012-2027 requires that a Sequential Test be satisfied where development is proposed in flood risk areas. The allocation of caravans intended for non-permanent residential use, which are defined as 'more vulnerable' in the PPG (Table 2, Para 66), in Flood Zone 2 are subject a specific warning and evacuation plan, and in Flood Zone 3 the Exception Test is also required.
- 3.9 In relation to criterion (i), Traveller site development is by definition inappropriate in the Green Belt, and PPTS 2015 (paragraph 16) requires that very special circumstances be demonstrated in order for Traveller sites in the Green Belt to be judged acceptable. It also advises that, subject to the best interests of the child, personal circumstances and unmet need for Traveller accommodation are unlikely to establish very special circumstances.
- 3.10 Criteria (ii), (vii), (viii), (x) and (xii) seek to ensure that Traveller sites integrate as far as is reasonably possible with the local settled community, and with the surrounding natural and built environment. National policy, as set out in the NPPF, is also applicable. For example, with regard to heritage assets, NPPF paragraphs 133 and 134 are relevant, the primary consideration being whether or not there would be 'substantial harm' as a result of the proposed

⁴ PPTS requires *inter alia* that a criteria based policy should be set out within Local Plans.

development. With regard to nature conservation designations, the level of protection afforded to different sites is influenced by the sites' particular designations.

- 3.11 Criteria (ii), (iii), (iv) and (x) are intended to protect the occupants of sites from unacceptable adverse living conditions, and to protect those living near to sites from possible adverse impacts of Traveller site development. These criteria do not necessarily rule out development if a site is subject to the particular issues specified in the criteria. For example, if existing residential development or existing authorised Traveller development is located equally close to the uses listed in criterion (iii), this will be taken into account when assessing proposals for new Traveller sites in the locality. It is necessary also to take into account the scope for mitigation measures, and whether the adverse impact from any uses set out in the criteria can be minimised to an acceptable level.
- 3.12 Ensuring adequate highways access to Traveller sites is important (criterion (v)). Whilst on a day-to-day basis, the sites are likely to be used by cars, vans and small lorries, there are also likely to be regular movements of touring caravans, and occasional movements of larger static caravans. Travelling Showpeople sites are likely to be regularly accessed by articulated lorries and / or heavy goods vehicles carrying fairground rides. The 2008 Good Practice Guide advised that access onto Traveller sites should be readily achievable by regular or potential visitors to the site, including the emergency services. Similarly, easy movement through, or manoeuvres within, the site should be possible for typical Traveller vehicles, and the safety of [pedestrian] site occupants, including children, is an important consideration. Whilst the Guide has been cancelled, its advice with regard to highways access is considered to remain relevant. Access to Traveller sites should be achievable in such a way that highway safety and the free flow of traffic are not compromised. In the event of any planning application, the highway authority would be consulted as a matter of course.
- 3.13 In terms of criterion (xi), whilst it is recognised that Travellers, by definition, are most likely to have ready access to motor vehicles, it is preferable, in terms of sustainable development, that Travellers also have the opportunity to access local services by sustainable modes of transport, such as walking, cycling, and public transport. It is generally recognised, however, that most established (and legal) Traveller sites tend to be situated a short distance outside the nearest settlement, allowing for appropriate separation between the settled and Travelling community. As such, the accessibility distances set out in policy GT1 (1.5km) are greater than those usually applied for 'bricks and mortar' residential development. When considering accessibility by walking (i.e. 20 minutes walking distance), the route taken on foot can differ from the highway-based route, for example using more direct public footpaths.
- 3.14 With regard to the screening of sites (criterion (xii)), careful attention should be paid to the nature of screening and how it relates to the character of the surrounding area. Close board and other fencing, or evergreen landscape planting may be appropriate in some areas, but not in others. Sites on elevated or sloping ground (criterion (xiii)) are likely to be more difficult to screen appropriately. For sites adjacent to developed areas, an acceptable balance needs to be struck taking into account the privacy of occupants and neighbours, the visual impact of screening (if it needs to be greater in height

than on a more isolated site), and the general urban design principle of natural surveillance.

- 3.15 The Good Practice Guide stated that sites should consist of a maximum of 15 pitches unless there is clear evidence that a larger site is preferred by the Gypsy and Traveller Community. At the lower end of the scale, having a minimum site threshold of 3 pitches (criterion (xiii)) should result in fewer sites around the Borough, lessening the overall impact of providing for Traveller accommodation needs. Having a maximum site size of 15 pitches should reduce the possibility of individual sites dominating the nearest settled community.
- 3.16 Traveller sites in one local authority area can potentially impact neighbouring local authority areas (for example through use of services). Any possible cross-boundary effects should be taken into account when assessing proposals for Traveller accommodation, in particular on sites close to the West Lancashire boundary.

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4. Traveller Site Allocations

4.1 In the light of the site assessments set out in the accompanying Site Assembly and Site Assessment Report, the locations and scale of Traveller accommodation need across West Lancashire, and the proposed uses and indicative capacities of the different candidate sites, the sites to address Traveller accommodation needs are set out in Policy GT2 below.

Policy GT2

Traveller Accommodation in West Lancashire

Traveller Accommodation Needs

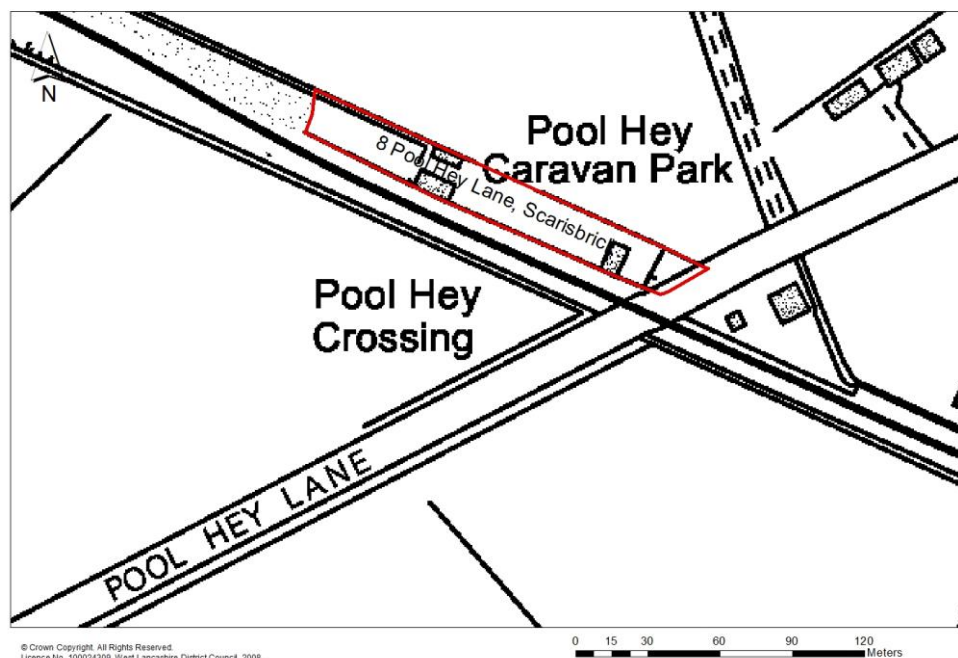
The Traveller accommodation needs in West Lancashire are as set out in the 2014 Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment (GTAA) and are as follows:

- 14 pitches on permanent Gypsy and Traveller sites by 2018, rising to 17 pitches by 2023 and 22 pitches by 2033;
- 4 transit pitches; and
- One yard for Travelling Showpeople with at least one residential plot.

Sites for Traveller Accommodation

The following site will be inset from the Green Belt and allocated as permanent Gypsy and Traveller accommodation only:

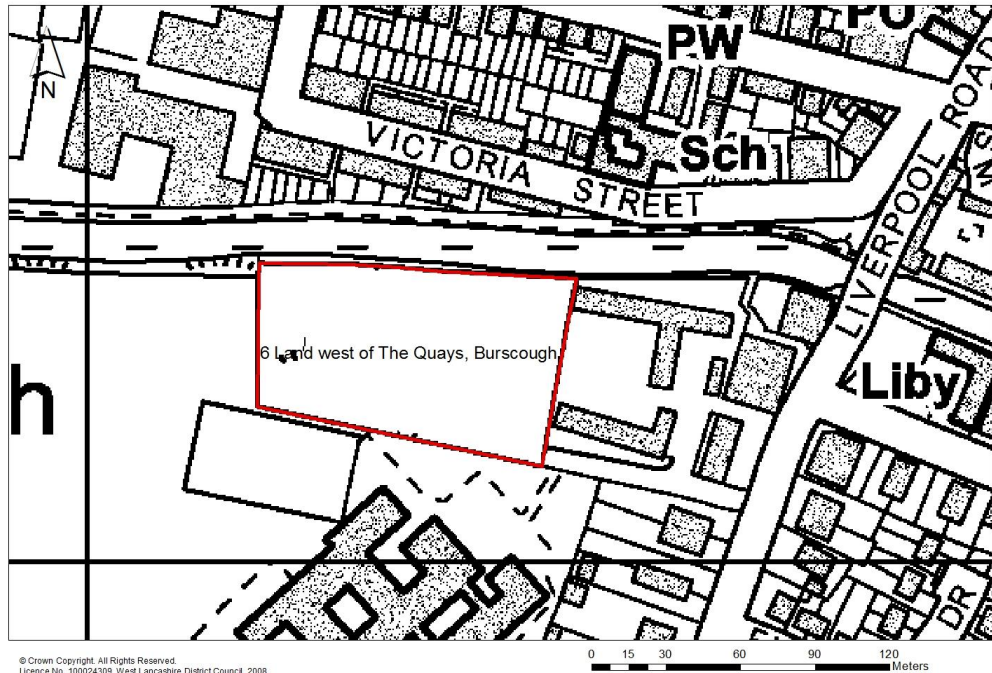
- Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick 5 pitches



Expansion or intensification in the use of the Pool Hey Lane site beyond 5 pitches will not be permitted. The use of the site shall be restricted to permanent (i.e. non-transit) Gypsy and Traveller accommodation. If such a use of the site were to cease in the future, the land shall only be used for purposes deemed appropriate for a Green Belt location.

The following site will be allocated as a Travelling Showpeople site:

- Land to the west of The Quays, Burscough 10 plots



Proposals for Traveller sites other than the two sites specified above will be required to meet the criteria set out in Policy GT1.

Justification

Traveller Accommodation Needs

- 4.2 As explained in Chapter 2 above, the most up-to-date objective assessment of Traveller accommodation needs in West Lancashire is the Merseyside and West Lancashire GTAA, published August 2014. This robust and comprehensive cross-boundary study involved dialogue with Travellers in the area, as well as their representative bodies and other stakeholders.
- 4.3 This DPD has been prepared on the basis that the Travellers whose accommodation needs have been assessed in the 2014 GTAA meet the revised government definition of “Travellers” as set out in PPTS 2015 Annex 1. If subsequent evidence base work indicates that changes need to be made to assessed accommodation needs in West Lancashire as a result of any “Travellers” no longer being classified as such, or for any other reason, this will be reflected in an update to this DPD, or in a review of the West Lancashire Local Plan.

Alterations to Green Belt boundary

- 4.4 PPTS (Policy E, paragraph 17) allows, in exceptional circumstances, for limited alterations to be made to Green Belt boundaries (for example to accommodate a site inset within the Green Belt) to meet a specific, identified need for a Traveller site. Such alterations should be made through the plan-making process and should be specifically allocated in the development plan as a Traveller site only.
- 4.5 It is considered, in the case of the Pool Hey Lane site, that exceptional circumstances do indeed exist that justify the release of the site from the Green Belt as a Traveller, site for the following reasons:
- There is an unmet need for Gypsy and Traveller accommodation, including in the Scarisbrick area;
 - There are no deliverable sites for Gypsy and Traveller accommodation in non-Green Belt areas, and no other deliverable sites in the Green Belt for Traveller accommodation (the deliverability of the Pool Hey Lane site relative to the other available sites is considered in Table 4.2 below);
 - The site is owned by, and has been occupied by, the same extended family of Travellers for more than 20 years;
 - The Council has no record of issues arising as a result of the site's occupation by Travellers⁵.
- 4.6 Consistent with PPTS Policy E, the Pool Hey Lane site is allocated for permanent (i.e. non-transit) Gypsy and Traveller accommodation only. If, at some point in the future, the site ceases to be used for Gypsy and Traveller accommodation, the use of the site other than for Gypsy and Traveller accommodation will be restricted uses appropriate in the Green Belt. (Thus, for example, 'bricks and mortar' housing will not be supported on the site.) This restriction reflects the fact that the site was designated Green Belt before its allocation for Traveller accommodation, and that it is an inset site, surrounded by Green Belt, and located some distance from the nearest non-Green Belt land.

Shortfall in Provision of Sites

- 4.7 It is evident that the proposed 'preferred sites' for allocation in Policy GT2 are not sufficient to meet the Borough's Traveller accommodation needs in their entirety, either for the short term or for the long term. This is far from ideal, yet the constraints of the Borough are such that, despite a very rigorous search for sites, and having investigated all reasonable avenues, it has not been possible to identify sufficient deliverable or developable sites in West Lancashire to meet identified needs. As such, the Council is proposing to meet what needs it can in the immediate term by allocating the Pool Hey Lane and 'The Quays, Burscough' sites. It is intended to identify and pursue the allocation of sufficient other deliverable sites through the forthcoming review of the West Lancashire Local Plan, commencing in autumn 2016.

⁵ For example, Network Rail do not object to the allocation of this site, provided there is no expansion and / or intensification of the site; the police have not expressed any concern about the occupants of this site.

- 4.8 As set out in the Site Assembly and Site Assessment Report accompanying this DPD, the Borough Council undertook as robust a search for sites as was reasonably possible, in order to identify potential candidate Traveller sites. A total of 20 sites were identified from 2013 onwards. However, just nine of the 20 ‘candidate’ sites were considered available by summer 2015. Three of these nine sites were ruled out on the grounds of their being located in Flood Zone 3⁶.
- 4.9 Table 4.1 below shows the six remaining sites, the types of Traveller accommodation that may be possible or most appropriate on them, and their indicative capacities. The potential type of Traveller uses for each site have been assigned based on site submission forms (SHLAA / Call for Sites), on current uses of the sites, or on a judgement of the sites’ suitability for different uses.

Table 4.1 Potential site uses and capacities of candidate sites

Site no. / name	Potential accommodation	Indicative capacity
6. Land west of The Quays, Burscough	Travelling Showpeople site only	10 plots (current permission). Current consented use of the site is as a Travelling Showpeople yard.
8. Pool Hey Lane 'Caravan Park', Scarisbrick	Permanent Gypsy site only	Maximum 5 pitches within current site boundary.
14. White Moss Road South (B), Skelmersdale	Transit site only	Less than 4 pitches. Capacity significantly limited by nearby oil / gas pipelines.
16. Blackacre Lane, Ormskirk	Any type of Traveller site	15 pitches
17. Land south of Butcher's Lane, Aughton	Permanent Gypsy site only	2-3 pitches; site constrained by flood risk and EA easement associated with Sudell Brook running adjacent to the site.
18. Land east of Brookfield Lane, Aughton	Permanent Gypsy site only	15 pitches ⁷

- 4.10 Figures 4.1 -4.3 below show the locations of sites 14 and 16 – 18.

⁶ (Amongst the sites ruled out on account of their location in Flood Zone 3 is Site 3: Land adjacent to ‘The Poppys’ (*sic*), Sugar Stubbs Lane, Banks. This site was proposed in the November 2015 Provision for Traveller Sites DPD: Options and Preferred Options as a preferred option for allocation. However, changes to the Environment Agency flood maps in late 2015 resulted in this site being reclassified from Flood Zone 1 to Flood Zone 3.

⁷ The maximum indicative number of pitches per site has been limited to 15, based on advice in the government’s Designing Gypsy and Traveller Sites: Good Practice Guide (May 2008), which, although now cancelled, is still considered applicable.

Figure 4.1 White Moss Road South (B), Skelmersdale



Figure 4.2 Blackacre Lane, Ormskirk

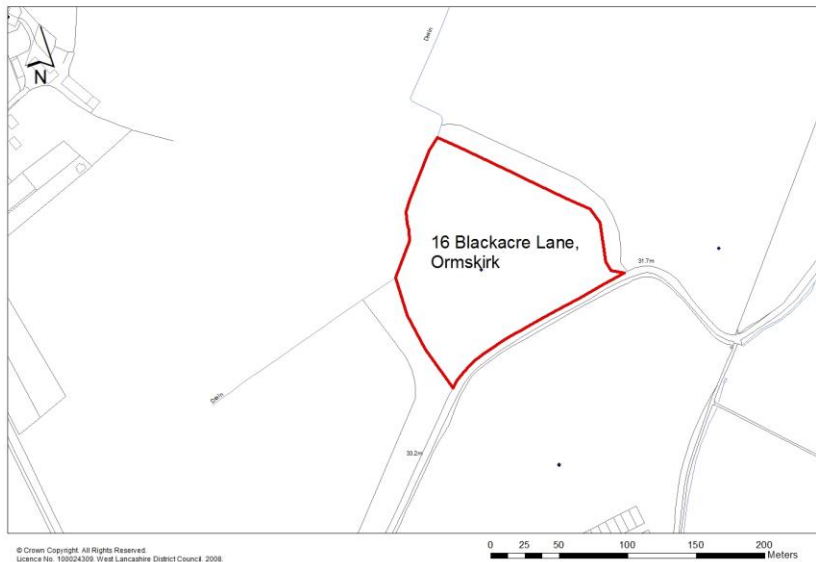
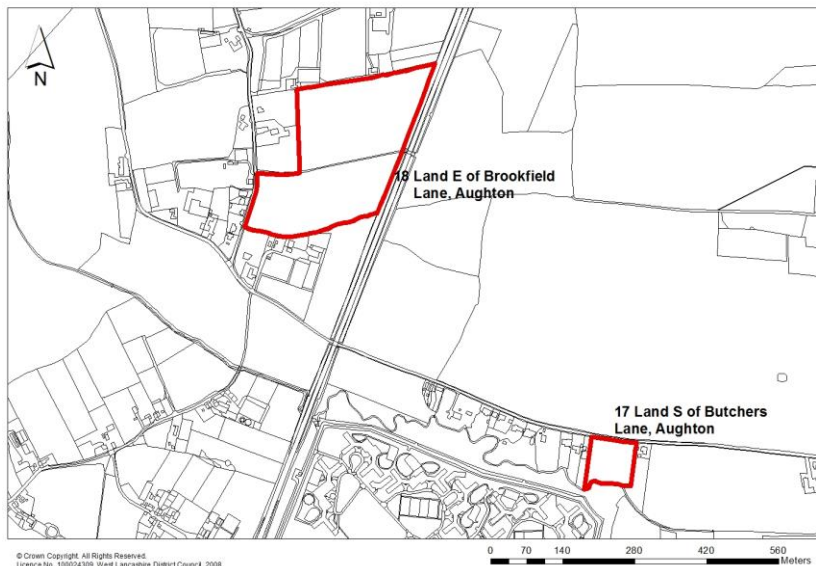


Figure 4.3 Brookfield Land and Butcher's Lane, Aughton



4.11 The detailed site assessment work (see the Site Assembly and Assessment report) concludes that of the six available sites, only two are considered deliverable (Sites 6 and 8), whilst the other four are not considered deliverable (Sites 14, 16, 17, 18) for the reasons summarised in Table 4.2 below, linked primarily to the suitability and achievability of the sites:

Table 4.2 Deliverability of Sites 6, 8, 14, 16, 17, 18

Site no. / name	Comments on Deliverability
6. Land west of The Quays, Burscough	<ul style="list-style-type: none"> • Site has permission as a Travelling Showpeople yard; • The use of the site for Travelling Showpeople accommodation is long-established; • It should be noted that this site does not contribute towards meeting the outstanding need for Travelling Showpeople accommodation in the Borough – the need is over and above this site, and this site’s allocation represents the formalisation of an existing permitted use.
8. Pool Hey Caravan Park, Scarisbrick	<ul style="list-style-type: none"> • Site is in the hands of Travellers, and has been in use as a Traveller site for over 20 years; • The occupants of the site have long-established ties to the area; • Site is reasonably close to the A570 and public transport connections, but is sufficiently separated from existing built-up areas so as to have a limited impact on the settled population; • Site is sufficiently separated from environmental constraints so as to have a limited impact on (or not to be impacted by) the local environment; • Whilst in the Green Belt, the site is well screened by established hedging on three sides, lessening its visual impact; • Site is close to a level crossing, but the Council has no record of any incidents at the level crossing resulting from the use of the site for Traveller accommodation. Network Rail do not object to the site being made permanent, provided there is no expansion and / or intensification of the site.
14. White Moss Road South (B), Skelmersdale	<ul style="list-style-type: none"> • Site was submitted in a Call for Sites exercise by its owners as a Traveller site; • Site is sandwiched between Whitemoss hazardous waste landfill site and the M58 motorway, thus considered to have potential for a transit site only; • Close to three underground oil and high pressure gas pipelines, all of which are Major Hazardous Installations with buffer zones in which the Health and Safety Executive is opposed to the siting of caravans; these buffer zones severely limit the capacity of the site. • Question marks over deliverability – owners are willing to make the site available for Travellers, but do not want to run the site as a transit Traveller site.

<p>16. Blackacre Lane, Ormskirk</p>	<ul style="list-style-type: none"> • Site owned by Travellers; used for grazing horses; • Open, slightly elevated, Green Belt land with little ‘screening vegetation’; as a result, use of this site for Travellers would have significant visual impact; • Poor road access; • Site is not in an area of Traveller accommodation need; • Site is reasonably sustainable, but its use as a Traveller site could have an impact on the nearby settled community (200-300m away); • Site lies outside the public water supply network; • Two large diameter sewers run through the site; building over these will not be permitted.
<p>17. Butcher’s Lane, Aughton</p>	<ul style="list-style-type: none"> • Not in an area of identified Traveller accommodation need; • Site is situated on a rural lane with residential properties directly adjacent on both sides, meaning that its use as a Traveller site would be likely to have a significant impact on the local settled community; • Green Belt site with little screening vegetation to Butcher’s Lane and to adjacent properties; • Site lies partly in Flood Zones 2 and 3 on account of its lying beside Sudell Brook; • Prior written consent would be needed from the Environment Agency for any proposed works or structures within 8 metres of the top bank of Sudell Brook; • Unsustainable location, remote from services and public transport; • Owner has expressed willingness for the land to be considered for Traveller use but is not actively promoting the site as such.
<p>18. Land east of Brookfield Lane, Aughton</p>	<ul style="list-style-type: none"> • Not in an area of identified Traveller accommodation need; • Large site with some road frontage, mostly set back from the road; highly visible from the Ormskirk – Liverpool railway; • Brookfield Lane is a minor, rural road; • Open Green Belt site; it is unlikely to be feasible to achieve adequate screening of the site, especially from the adjacent railway line (on an embankment) and thus the use of the site for Travellers is likely to have significant visual impact; • Site comprises a significant area of Best and Most Versatile agricultural land; • Public footpath runs through site; • Unsustainable location, remote from services and public transport; • Owner has expressed willingness for the land to be considered for Traveller use but is not actively promoting the site as such.

- 4.12 As such, whilst sites 16-18 are 'available' in the sense that the landowners have indicated that they are willing for the sites to be looked at as potential Traveller sites, it is considered that harm to the Green Belt and other likely elements of harm associated with the allocation and use of these sites as Traveller sites are such that they should not be allocated as Traveller sites, despite their availability.
- 4.13 Site 14 is subject to constraints that restrict its useable area to such a small proportion of the site as to render it almost unviable. Furthermore, it is not clear who would manage the site, were it to be allocated.
- 4.14 Given the sites proposed for allocation are insufficient to meet the Borough's Traveller accommodation needs, Policy GT1 allows for the possibility of other sites coming through via the development management process. If any such sites are granted permission for Traveller accommodation use, consideration may be given to their allocation in future reviews of this DPD or of the Local Plan.

5. How to comment

Comments are invited on this document, as well as on the Site Assembly and Site Assessment Report, and on the Sustainability Appraisal accompanying this DPD.

The consultation period on this document runs from Thursday 7 July 2016 – Thursday 1 September 2016.

Comments must be received by the Council by 11.59pm on Thursday 1 September.

Comments may be made in the following ways:

Online: Please visit the Council's website at: www.westlancs.gov.uk/Travellers and fill in the online form.

Email: Comments forms can be downloaded from the Council's website (as above) and emailed to Localplan@westlancs.gov.uk

By post: Please post comments forms to:

Strategic Planning and Implementation Team
West Lancashire Borough Council
52 Derby Street
Ormskirk
Lancashire
L39 2DF

We respectfully ask that comments be made using the official forms. Under the Town and Country Planning (Local Planning) (England) Regulations 2012, representations must be made concerning whether or not the document is considered sound and / or legally compliant.

Any queries on the consultation process should be made to the above email or postal addresses, or can be made by telephone to 01695 585284 / 585274.

Equality Act 2010

Under the Equality Act 2010 the Council is under a duty to:

- Eliminate conduct that is prohibited by the Equality Act;
- Advance equality of opportunity between those who share a protected characteristic and those who do not share it;
- Foster good relations between those who share a protected characteristic and those who do not share it.

Race is one of nine "protected characteristics" covered by the Equality Act 2010; Romany Gypsies and Irish Travellers are recognised as having a protected characteristic. The Council reserves the right not to accept responses received that are considered to contain offensive or derogatory comments about Gypsies and Travellers.