

Provision for Traveller Sites Development Plan Document

Schedule of Representations and Responses

May 2016

This report lists the representations made to West Lancashire Borough Council during the consultation on the Provision for Traveller Sites DPD: Options and Preferred Options (3 December 2015 – 29 January 2016) and the Council's responses to these representations.

Provision for Traveller Sites DPD – Representations made on Preferred Options document and WLBC responses.

May 2016

* Q No*: See final page for list of consultation questions

Name	Organisation	Q No*	Comments	Site	Response
Cllr M Barron		-	Traveller sites must have utilities and sewerage provided		Noted. Availability of utilities and sewerage is one of the criteria against which sites are assessed.
Warren Hilton	Highways England	(5)	<p>Having considered the draft, we have no comments to make in relation to the three preferred site options as they are all located away from the strategic road network that we operate. However we note that site number 14, known as White Moss Road South (B), Skelmersdale, is cited within the draft as being a site that could be operated as a transit camp. This site is located immediately adjacent to the M58 motorway boundary. Should this site be taken forward (or any of the others that are located next to the motorway), we would advise the following points are taken into consideration on grounds of safety:</p> <ul style="list-style-type: none"> • There should no direct access or connection to the motorway and any of its services from the site, such as drainage. • No aspect of the development of the site should put the motorway embankment at risk. <p>Ideally, there should be a robust buffer of fencing and / or landscaping designed to prevent access to the motorway from the site. This is important as there may be young children based on the site who might be tempted to explore the area and gain access to the motorway embankment</p>	All / 14	<p>Comments noted.</p> <p>Site 14 is not currently considered deliverable so it was not listed as a preferred option. If this changes, HE comments will be taken into account, similarly with regard to any site(s) that may be identified in future adjacent to the M58.</p>
Gillian Laybourn	Historic England	-	No comments to make at present	-	Noted.
Alan Hubbard	National Trust	-	No comments to make at this stage.	-	Noted.
John Gray	Resident	-	<p>'I believe we have a moral, as well as a legal, responsibility to provide such sites (as well as trying to reduce the risk of unauthorised settlements) but I do not have enough local knowledge of these particular areas to be able to make any intelligent comment on the suitability of any or all of them.</p> <p>I wish the Council well in making its difficult decisions!'</p>	-	Comments noted.

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Mr & Mrs J Hewett	Trustees for the JSH Pension Fund	(3)	<p>With regard to any of the excluded sites being reinstated. Site 5 of the potential candidate 'Traveller sites in West Lancashire' – Land West of Ringtail Road, Burscough.</p> <p>In the event of a change in circumstances or aspiration for Site 5 and it being re-instated for consideration as a site for Traveller use in West Lancashire, we, being the Owners of a site very close to this site, <u>would object</u>, for the following reasons:</p> <ul style="list-style-type: none"> • It is not within 1 mile of a motorway or Class A road. • Access to and from the site would currently be via heritage tracks and low volume use rough unmade roads (not good quality roads, that could allow easy access to large pieces of machinery, which ideally require stable transport). • Site does not have mains sewerage, thus significant consideration would have to be given to how to provide foul waste and water removal. • The water table is low in this area, so additional site drainage may also have to be considered. • It is not clear who would have the burden of cost to manage the off-site amenity and sanitary needs associated with the correct establishment of such a site? • There are houses near to this area, with established residents. So, considerable consideration should be given to their needs, volume (of) noise and safety, which probably do not align with regular large heavy vehicle movements. • The proposal would be a significant change of use, and a significant change of character to the landscape, which would be out of context with the current allowed use and the balance of the land and the agricultural context around it. • Operating such a site would increase the number of vehicle movements and possible noise levels and there would also be [a] risk of upsetting the current businesses and dwellings that are located near to the proposed site and indeed, risk, for example, the local businesses wishing to re-locate. 	5	<p>Comments regarding Site 5 (Land west of Ringtail Road) noted.</p> <p>As stated, this site has not been listed as a Preferred Option for reasons of ownership.</p>

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			Indeed, if this land was to be considered for development for Travellers or Travelling Showpeople, we believe it would need to be carefully weighed and discussed with current Residents and Businesses. We believe that if developed for Travellers, there is likely to be a negative impact on current businesses and jobs in that this would be such a major change to the character of the environment as to cause consideration and concern for business being sustained in this area.		
John Silcock	Silcock's Fairs Liverpool Rd North, Burscough	(1) (3) (4) (5)	<p>The Council is not adhering to Policy GT1 – there is no site in West Lancs for showmen, although there is a need in the area.</p> <p>There is no showman's site within West Lancashire – this has been the case for many years. Land owners refuse to sell to showmen, therefore the Council should ensure their needs are provided for.</p> <p>Do not agree with the assessment of the candidate Traveller sites – do not want the storage depot at Liverpool Road North, Burscough to be allocated as a Travellers site.</p> <p>West Lancs Council should not combine the search for sites for gypsy and traveller sites with sites for showpeople – they have a completely different culture and different needs.</p>	06	<p>(1) The Council is seeking to find suitable sites to meet the acknowledged accommodation needs of Travelling Showpeople in West Lancashire. Site 6 is proposed for allocation as a Travelling Showpeople site, although this does not meet needs in full.</p> <p>(3) Land acquisition difficulties are acknowledged.</p> <p>(4) Comments noted. However, Site 06 has planning permission, therefore its formalisation is considered an appropriate way forward.</p> <p>(5) The Council is aware of the difference between Travelling Showpeople and Gypsies, both in terms of culture and need, and is searching for separate sites for each type of occupant.</p>
Clerk	Scarisbrick Parish Council	(2) & (3) (4)	<p>The Parish Council believes that the site at Pool Hey Lane, Scarisbrick lies within the Green Belt which contravenes point (i) of the Site Specific Criteria. Access also lies within Flood Zone 2 and within the pumped catchment area which contravenes point (vi) of the Site Specific Criteria. For these two reasons Scarisbrick Parish Council unanimously objects to the proposed site at Pool Hey Lane, Scarisbrick.</p>		<p>(4),(5) Comments noted. If the site were to be allocated as a Traveller site, it would be removed from the Green Belt. Whilst non-Green Belt sites would in theory be preferable for allocation, the site search undertaken by the Council has failed to identify any deliverable non-Green Belt sites and thus the area of search has been extended to the Green Belt.</p> <p>The site itself does not lie within Flood Zone 2.</p>

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			Site access for emergency vehicles is questionable and general vehicle access to the proposed site is far from ideal given the width of Pool Hey Lane. There are also resident concerns with regards to speeding traffic on this road which have been reported to Highways – new signs have been erected showing the area to be a ‘Community Concern Speed Area’.		(6) Whilst Pool Hey Lane is less than ideal in terms of its width, it has served as access to the site for 20 years and the Council is unaware of any significant highways issues to date arising from this use of the road. Farm and commercial traffic also uses Pool Hey Lane.
Anthony B Northcote (Consultant Planning Advisor)	The Coal Authority		West Lancashire area contains coal resources which are capable of extraction by surface mining operations. These resources cover an area amounting to approximately 20.10% of the plan area. The Coal Authority is keen to ensure that coal resources are not unnecessarily sterilised by new development. Where this may be the case, The Coal Authority would be seeking prior extraction of the coal. Prior extraction of coal also has the benefit of removing any potential land instability problems in the process. However in the case of Gypsy and Traveller Accommodation, the siting of caravans themselves would not result in mineral sterilisation.		Comments regarding mineral sterilisation noted.
		(1)	The Coal Authority would support criterion (iii) which would include consideration of unstable land amongst other health, safety and well-being issues. The Policy meets the requirements of paragraphs 109, 120 and 121 of the NPPF		(1) Support for policy GT1 criterion (iii) noted.
		(2)	The Coal Authority would support criteria 3 and 7 that will then be used as the criteria considering of unstable land amongst other health, safety and well-being issues in the site selection process. It is noted that land stability is raised as an issue on site 10. The approach meets the requirements of paragraphs 109, 120 and 121 of the NPPF.		(2) Support for site selection criteria (iii) and (vii) noted .
Robert Deanwood	Amec Foster Wheeler (on behalf of National Grid)	-	No comments		Noted.

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Anne-Sophie Bonton	Lancashire County Council	-	No observations at this stage. Lancashire County Council would ensure that sufficient school places are made available to meet the requirements of the Traveller Site. Further planning work would be required once pupil number information becomes available.		Provision of places for education noted. West Lancashire Borough Council will liaise with Lancashire County Council over education provision and other issues related to Traveller site provision.
Kate Wheeler	Natural England	-	Do not have any comment on the three sites to be formalised or any additional comment on sites we wish to suggest for future development for Gypsies, Travellers and Travelling Showpeople. Will comment further when sites are selected and assessed for allocation.		Comments noted.
Dave Sherratt (LDF Assessor)	United Utilities	(2) & (4)	<p>Water and wastewater services are vital for the future well-being of your community and the protection of the environment; when developing your future policies you should consider their impacts on the community, environment and ensure infrastructure capacity is available. If infrastructure deficiencies cannot be addressed, an alternative location and/or timescale should be sought where infrastructure capacity is available and it meets your development needs.</p> <p>No comments to make at this stage on the following sites: 1 Aveling Drive (A), Banks 2 Aveling Drive (B), Banks 5 Ringtail Road, Burscough 6 Land west of The Quays, Burscough 9 High Brow Farm, Pool Hey Lane, Scarisbrick 10 Land at 1-3 Southport Road, Kew 11 Land to rear of 281 Smithy Lane, Scarisbrick 12 Former depot, Mere Brow 19 Land east of Middlewood Drive, Aughton</p> <p>The following sites lie outside the public drainage network: 3 Sugar Stubbs Lane, Banks 13 White Moss Road South (A), Skelmersdale 8 Pool Hey Lane, Scarisbrick</p>		Comments noted, including site-specific comments. These comments will be taken into account when (re-)assessing the suitability / deliverability of sites.

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			<p>7 Land west of Tollgate Road, Burscough 17 Land south of Butchers Lane, Aughton 18 Land east of Brookfield Lane, Aughton 20 Jubilee Wood, Bickerstaffe</p> <p>The following sites lie outside public drainage and water supply networks: 14 White Moss Road South (B), Skelmersdale 15 White Moss Road South (C), Skelmersdale</p> <p>The following site lies outside the public water supply network: 16 Blackacre Lane, Ormskirk</p> <p>There are also some site specific comments outlined below: <i>4 Land west of Hoole Lane, Banks</i> Sewer runs through the site - Annual desilting undertaken to prevent blockages and flooding; access for this activity must be maintained.</p> <p><i>8 Pool Hey Lane, Scarisbrick</i> 10m Easement in place [Deed Ref: Z 583 & Z 669]; building over and/or heavy traffic will not be permitted within the easement.</p> <p><i>16 Blackacre Lane, Ormskirk</i> Two large diameter sewers run through the site - building over will not be permitted.</p>		
Alex Hazel	Environment Agency	(3)	<p>Site 3 This site is located entirely in Flood Zone 3 (high probability of flooding), therefore we do not support the allocation of this site for gypsy and traveller provision. To locate new caravans for permanent residential use, which is classed as ‘highly vulnerable’ development in the national Planning Practice Guidance (PPG), in Flood Zone 3 would be contrary to the National Planning Policy Framework (NPPF). This would also be contrary to proposed Policy GT1.</p>	(3)	<p>Comments noted. The land was previously classified as Flood Zone 2, but the most recent maps issued by the Environment Agency show the site in Flood Zone 3. As a result, this site will be reclassified in the DPD.</p>

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		(1)	<p>The watercourse, Ring Ditch Watercourse 54, adjoining the site is a designated Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Ring Ditch Watercourse 54.</p> <p>Site 17 Part of the site to the south along the river corridor is located in Flood Zone 2 (medium probability of flooding) and 3 (high probability of flooding). Therefore, we would advise that no vulnerable part of the development, which in this case would be caravans, should be located in Flood Zone 2 or 3. Provided that this is adhered to, we are satisfied that the intended use for this site, if selected, would not be at an unacceptable level of flood risk.</p> <p>The watercourse, Sudell Brook, adjoining the site is a designated Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Sudell Brook.</p> <p>Traveller Sites Policy, Justification, Criteria, Paragraph 3.8: We suggest rewording this paragraph and adding the requirement to provide a flood evacuation plan for sites proposing non-permanent residential caravans:- <i>'With regard to the policy 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.</i></p>	(17)	<p>Comments re. watercourse and easement noted.</p> <p>Comments noted. This site is not a Preferred Option for Traveller sites.</p> <p>Comments noted – words to the effect of the proposed paragraph can be added to the policy justification.</p> <p>References to NPPF Technical Guide will be removed from the document and replaced with references to PPG.</p>

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			<p><i>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.'</i></p> <p>This additional paragraph could also be included:-</p> <p><i>'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'.</i></p> <p>Please ensure that the latest Environment Agency Flood Map layers have been added to your Council's GIS system.</p> <p>Several references are made to the Technical Guide to the NPPF. This no longer exists and has been replaced by the national Planning Practice Guidance (PPG).</p> <p>We have reviewed the Duty to Cooperate Report and we are satisfied that our involvement has been appropriately recorded.</p>		Comments regarding Duty to Co-Operate report noted.
Margaret Wiltshire	CPRE – West Lancs District group	(3)	The Scarisbrick Site proposed is a problem site which is adjacent to flood zones, being divided from them by a road and a railway embankment. Neither of these features is capable of acting as a flood barrier. The name, Pool Hey Lane, indicates its naturally wet nature.		Comments noted.
Stuart Barnes	Knowsley Metropolitan Borough Council	(1)	<p>We agree that Policy GT1 is consistent with national policy and reflects local circumstances. The Policy includes a wide range of criteria which must be met, if both permanent and transit sites are to be fit for purpose and provide adequate residential amenity.</p> <p>As a neighbouring authority to West Lancashire, it is possible that Knowsley may be affected by development of permanent or transit sites close to the boundary between the two local authority areas. We specifically note that the policy criteria regarding transit sites would allow such sites to be located within 2.4 km of the M58 or strategic highway network in certain circumstances. The provision of</p>		(1) Comments noted. Whether or not there are cross-boundary impacts associated with transit sites depends on the location of the transit site (if one can be found). Wording can be added to the justification to policy GT1 to acknowledge potential cross-boundary impacts of Traveller sites close to local authority boundaries. However, given the temporary nature of the occupation of transit sites (typically a few days, and rarely more than a few weeks), it is not considered that such sites should

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			<p>a transit site on the M58 corridor and in close proximity to Knowsley's boundaries could lead to additional demand for services and infrastructure in the Kirkby area. On that basis, we suggest that Policy GT1, and particularly the section related to transit sites, could be amended to recognise that potential impacts of the development of either permanent and transit sites for Gypsy and Travellers on neighbouring authorities, as well as within West Lancashire.</p> <p>(2) In general, we support the criteria for site selection as identified in the Preferred Options document. Reflecting our response to Question 1, we would suggest that the site selection criteria could also be amended to reflect the potential impacts of the development of permanent or transit sites could have on neighbouring authorities including Knowsley, as well as within West Lancashire.</p> <p>(5) Whilst we note the difficulties in identifying suitable and deliverable preferred sites, we note that the selection of three preferred sites from the pool of candidate sites, as shown in Table 5.2, may not be sufficient to address the identified accommodation needs of Gypsies and Travellers within West Lancashire over the Plan period. This is contrary to the findings of the 2014 joint Merseyside and West Lancashire Traveller Accommodation Assessment (GTAA), in which it recommended that the identified accommodation needs should be met in the districts within which they arise.</p> <p>Although the draft DPD alludes to the possibility of unmet need arising from the lack of preferred Traveller sites, it currently does not offer a strategy for how this unmet need would be dealt with, other than allowing the Development Management process to bring additional sites forward. It is possible then that the Council's clear efforts to bring forward a sound Plan which is compliant with national policy, may be undermined by the lack of sites proposed for allocation in the Provision for Traveller Sites DPD. This is a clear risk to the Plan.</p> <p>Accordingly, we have some concerns that should the preferred sites and any other sites brought forward through the Development Management process not meet the identified needs for</p>		<p>lead to additional demand for services and infrastructure in Knowsley (or any other neighbouring borough).</p> <p>(2) It is not considered necessary to refer explicitly to neighbouring authorities. The impacts associated with the criteria will be taken into account when assessing sites, whether these impacts are manifested in West Lancashire or in a neighbouring authority.</p> <p>(5) The draft DPD clearly explains why it has not been possible to identify sufficient sites to meet West Lancashire's needs in full. The Borough Council is well aware of the potential implications of this scenario.</p>

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		(6)	<p>accommodation in West Lancashire, this may lead to potentially adverse cross boundary land use issues affecting Knowsley, such as the instances of unauthorised occupation of sites around the strategic highway network.</p> <p>With regard to the five alternative options presented, we do not believe that the Option 1 or 2 would be deliverable, given the difficulty already faced in identifying a sufficient range of preferred sites to meet identified accommodation needs for Gypsy and Travellers in West Lancashire.</p> <p>Neither Option 2 nor Option 3 align with the findings of the 2014 joint Merseyside and West Lancashire Traveller Accommodation Assessment (GTAA), in which it recommended that the identified accommodation needs should be met in the districts within which they arise.</p> <p>With respect to Option 3 in particular, as noted above, there is currently no evidence to suggest that any sites in Knowsley could appropriately help to meet needs arising in West Lancashire. We agree that Option 4 should not be progressed due to being contrary to national planning policy.</p> <p>Option 5, while potentially allowing for additional sites to be identified, is likely to present the same dilemma over the lack of availability of deliverable sites.</p>		(6) Comments on alternative options noted.
Diane Clarke	Network Rail	(3)	<p>Site in Kew / Scarisbrick Site 08 Pool Hey Lane</p> <p>“Pool Hey Caravan Park, Scarisbrick - 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.”</p> <p>Network Rail notes that the site has been in existence for 20 years, and we also note its position adjacent to Pool Hey Lane Level Crossing. However, Network Rail has no objection to the site being made permanent as long as there is no increase in usage or the type and volume of usage at the site. We would request notification and consultation from the LPA if this were the case. Should mitigation</p>	(8)	Comments noted. It is not intended to increase the size of this site. Intensity of use of the site has fluctuated over the years the site has been in existence. It is considered that the allocation (formalisation) of the site should not result in any increase in usage over and above what has taken place over recent years. The site allocation policy can be amended to proscribe expansion or intensification of this site beyond the proposed 5 pitches.

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			<p>measures be required as a result of increased usage Network Rail would seek funding from the developer and support in principle from the LPA. Highways, Right of Way teams.</p> <p>Land east of Brookfield Lane, Aughton – Site 18 The site is adjacent to the operational railway and as such we would request that any planning application should include consultation with Network Rail. We would request to see details of excavation /earthworks, drainage plans within 10m of the railway as well as details of trespass proof fencing of at least 1.8m in height to prevent accidental or unauthorised access onto the railway from the site. Any residential proposal area should have a suitable trespass fence constructed adjacent to the boundary with the railway, at the developer’s expense. As Network Rail is a public body it is not reasonable to expect Network Rail to fund mitigation measures on our infrastructure as a result of third party development.</p>	(18)	Comments noted. This site was not listed as a preferred option for allocation, but if its status were to change, Network Rail would be consulted.
J Moran	-	-	Unable to make any comments on the three preferred option sites.	(5)	Comments noted.
Alison Heine	Heine Planning	(1)	<p>The policy is vague and not consistent with Planning Policy for Traveller Sites (PPTS) or NPPF. Requires a very detailed justification just to explain this policy, and it cannot be understood without it.</p> <p>Broad locations Hard to understand without the justification. Not considered PPTS compliant. There is no justification to restrict the search to where existing sites are and no reason why sites should not be found near other settlements.</p> <p>The PPTS still requires criteria policy where no need is identified (para 11).</p> <p>What robust evidence would you rely on for a windfall application?</p>		<p>It is not considered that the policy is unduly vague; the policy is accompanied by a detailed justification which explains the reasons for the criteria.</p> <p>The justification to this part of the policy is set out in paragraphs 3.2-3.4. PPTS10(b) requires local planning authorities to set “broad locations for growth”; it does not require that the whole Borough be included. The general thrust of national policy and good practice is to meet need where it arises; as such the broad locations in policy GT1 reflect this.</p> <p>The justification to GT1 provides guidance on the “robust evidence” required.</p>

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			<p>Are you suggesting sites should only be in certain parts of the district?</p> <p>Site Specific criteria</p> <p>Confusion over terminology – what is the alternative to ‘permanent’ sites? Does this mean residential? Are temporary sites proposed?</p> <p>Not in Flood Zone 3 is not consistent with criteria (vi). In other parts of the country (e.g. Doncaster) sites in Flood Zone3 have been justified subject to suitable mitigation as agreed with EA. It is not necessary to rule them out completely.</p> <p>i) Not PPTS compliant. Are Very Special Circumstances justified as stated in justification?</p> <p>iii) Does this need to be stated? Would you have similar criteria for housing?</p> <p>“Sufficiently far from” is too vague a criterion. Are criteria in Tier 2 point 6 on page 30 realistic? What is wrong with being within 100m of a pylon? What is wrong with being next to an operational railway line? Many houses are.</p> <p>iv) Too vague</p>		<p>The GTAA advises that sites should only be in certain parts of the Borough, as stated in the policy GT1 justification. Planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. Sites in areas currently without recognised Traveller accommodation needs may be subject to ‘material considerations’.</p> <p>The alternative to ‘permanent’ sites is ‘transit’ sites (see para. 2.9 of DPD). Temporary sites are not proposed. See PPTS para. 13(g) and comments on (vi) below. EA have made clear that Traveller sites should not be permitted in FZ3 in West Lancashire.</p> <p>i) This criterion is compliant with PPTS para 16,17. The criterion can be amended to refer to very special circumstances.</p> <p>iii) Yes, this is necessary; see PPTS13(e). Bricks and mortar housing is different from caravans. Travellers tend to spend more time out of doors, and caravans offer less protection than houses. “Sufficiently far” is considered appropriate. Specific distances are likely to be different for different sites / circumstances / neighbouring uses, so this policy cannot be too prescriptive. The presence of residential development in similar locations is a factor that can be taken into account, as set out in the policy GT1 justification.</p> <p>iv) It is difficult to be more prescriptive – each site is unique, and each case is treated on its merits. The wording of this criterion is considered appropriate.</p>

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			<p>vi) Caravan sites can be sited in Flood Zone 2 if Sequential and Exception test in NPPF are met. This should be made clear in the criteria. Why not leave to Policy GN5?</p> <p>vii) Too vague. What is difference between close to and adjacent to? Why do you presume mitigation will not address any concerns? This is not the test in national policy which requires regard to hierarchy of designation.</p> <p>viii) Use test in NPPF para 133 which is 'substantial harm'.</p> <p>xi) Too complex and ignores advice in NPPF on rural areas. Why can't the requirement be relaxed in these locations, with the acceptance that people are more likely to use cars? The criterion does not have regard to the walking route. This is not a requirement of PPTS. We do not know how restrictive bus routes would be unless all were published. Taxis are regarded as a form of public transport which could serve some sites.</p> <p>xii) This criterion is more concerned with boundary treatment than the site itself. Should be explained by 3.14.</p> <p>xiii) Good Practice Guide is no longer saved. Not PPTS compliant. Single pitch sites could be a better solution and may not have greater impact.</p>		<p>vi) If a site lies within Flood Zone 2, the site must be demonstrated to meet the Exception Test. WLLP policy GN5 requires that a sequential test be satisfied where development is proposed in flood risk areas. The policy / justification can be amended to reflect this; see wording proposed by EA above.</p> <p>vii) 'Adjacent to' means touching / sharing a common boundary. Mitigation can be taken into account when assessing planning applications; mitigation is referred to in the justification. The hierarchy of designations can be mentioned in the policy justification.</p> <p>viii) NPPF paragraphs 133/134 can be referred to in the policy justification.</p> <p>xi) The standards in this criterion already represent a relaxation compared with brick and mortar housing. Amend policy to refer to 20 minutes' walk (not 15) and clarify with respect to the walking route.</p> <p>Other comments noted.</p> <p>xii) The boundary is part of the site.</p> <p>xiii) Whilst the GPG has been withdrawn, its principles can still be applicable. It is considered that several single-pitch sites could have more impact on the countryside / Green Belt than a smaller number of larger sites.</p>
		(2)	The most important criterion is whether the site is deliverable and available, followed by the provision of a choice of tenure, location and size.		Noted. The definition of deliverable includes available / suitable / achievable.

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			It is wrong to dismiss parts of district just because there are no Traveller sites there. There is nothing to suggest that existing locations are the best, but that is what is presumed.		These parts of the Borough are not dismissed, but given less weight. This DPD is seeking to meet need where it arises, in line with the GTAA and national good practice / policy.
Alison Heine	Heine Planning	(3)	<p>According to EA map on website, Sugar Stubbs Lane is Flood Zone 3.</p> <p>Strongly support Pool Hey Lane site as this has been occupied for many years by one family who deserve certainty for the future. It would appear it is no longer at risk of flooding.</p> <p>Potential site also at Blackacre Lane, Ormskirk.</p> <p>Consider the sites at Aveling Drive, Banks have been wrongly excluded. The only risk is if flood defences fail, which will also affect houses, but has not prevented other development in Banks.</p> <p>Concerns could be addressed by mitigation - may mean a slight raising of platform for mobile homes, height of finished floor level and requirement for a flood evacuation plan. The EA has agreed this approach in other parts of the country- e.g. Millfield Caravan site near Stainforth Doncaster.</p>		<p>Noted. The site is not proposed for allocation.</p> <p>Noted.</p> <p>Noted.</p> <p>EA have made clear that Traveller sites should not be permitted in FZ3 in West Lancashire.</p>
Alison Heine	Heine Planning	(4)	<p>As noted above, according to EA flood maps Sugar Stubbs Lane is in Flood Zone 3 as is Aveling Drive.</p> <p>Strongly support the decision to remove preferred sites from the Green Belt but these three sites are all existing and occupied. No new provision is proposed.</p> <p>Has the 2014 Arc Need Assessment been tested on appeal and is it robust? No allowance is included for turnover in W Lancs as the sites are all privately owned and this may underestimate total need. I doubt the need identified in 2014 is enough i.e. for 14 pitches to 2018.</p> <p>There is no choice of sites for showmen.</p> <p>GT2 clearly fails to allocate enough sites. It may be necessary to reassess sites put forward and compromise on selection.</p>		<p>Noted.</p> <p>Noted.</p> <p>The 2014 GTAA has not been tested at appeal, but this does not by any means indicate it is lacking in robustness.</p> <p>Allowance for turnover would reduce, not increase, overall needs figures.</p> <p>Noted; the reasons for this are set out in the DPD.</p> <p>The inability to find sufficient deliverable sites is acknowledged in the DPD.</p>

Name	Organisation	Q No*	Comments	Site	Response
			Blackacre Lane & Aveling Drive should be reconsidered – the former is close to sites in Formby, and is land used by Travellers to graze horses. The Green Belt location would not be an issue if it were removed (as for other sites). Loss of openness would not be an issue if inset from the GB. Visual impact can be mitigated with landscaping.		Aveling Drive is not considered an option, given EA advice. Blackacre Lane is over 10 miles from Formby. Insetting sites from the Green Belt would still have a visual impact and would result in loss of perceived openness, even with landscaping.
Alison Heine	Heine Planning	(5)	<p>Need to include other sites excluded to meet need identified in particular Aveling Drive, Blackacre Lane and land for showmen to give them choice. Why is there no consideration of housing land allocations if you cannot find enough land elsewhere?</p> <p>No site appears to be identified for a transit site. It is essential to provide transit sites given the new legal definition for Travellers in PPTS August 2015.</p>		<p>The Council has looked at housing land allocations but found no available land from this source.</p> <p>A robust search has been made for potential transit sites, but has not resulted in any deliverable sites being identified.</p>
Alison Heine	Heine Planning	(6)	<p>Support option 1 and 5.</p> <p>It is not good enough to say you cannot find sites. If you can meet housing needs you can meet GT and showmen needs.</p> <p>There is no need to meet need arising elsewhere. Adjoining authorities do not have any pressing constraints. It would be unrealistic to hope or expect adjoining authorities to meet need in West Lancs and totally unfair on those living here to have to relocate.</p> <p>Should be more realistic about the suitability of sites and accept some short term inconvenience and change to character and appearance of areas until new sites are assimilated into the landscape.</p>		<p>Noted</p> <p>There exist deliverable housing sites but not sufficient deliverable Traveller sites.</p> <p>The Council is bound by the Duty to Co-operate. If insufficient sites exist in West Lancashire, it is appropriate to ask neighbouring authorities whether they are able to help meet needs. As three sites are in Flood Zone 3, relocation is necessary if their occupants are to live on policy-compliant sites.</p> <p>It is considered that the Council's assessment of suitability has been realistic.</p>
			There is really far too much to read on this subject. It is not proportionate to the need identified. It is extremely disappointing to see all these reports trying to justify a policy that is acknowledged to have failed as you have not identified enough sites. It is not user friendly and takes an unreasonable time to check information.		The Council has set out to meet needs in full but, despite as robust a search for sites as is reasonably possible, has been unable to find sufficient deliverable sites. The documentation explains why this is the case.

Name	Organisation	Q No*	Comments	Site	Response
Mr C Harrison	Resident	(3)	Pool Hey Lane proposed gypsy site: Traffic on this single track road is already unsuitable for traffic and is sited next to railway. This unofficial site, now little used, will increase traffic. Fear the site could become larger through unofficial expansion.		There are no plans to expand or intensify this site over what has taken place the past 20 years, but simply to legitimise the current use. If allocated, it should be easier to take enforcement action against any unofficial expansion, were this to occur.
Mr C Harrison	Resident	(3)	Pool Hey Lane should be excluded for reasons given above. A site adjacent to a railway is unsuitable for safety reasons. The site is also too near houses.		Network Rail have not objected to the site. The two neighbours have not objected nor complained. It is remote from all other houses on Pool Hey Lane
Mr C Harrison	Resident	(5)	Green Belt land should not be changed to allow for Traveller accommodation. These are settled, permanent sites.		Green Belt can be redesignated, provided exceptional circumstances (ECs) exist. It is considered ECs do exist in the case of this site.
Allison Marland	Chorley Borough Council	(5)	<p>Chorley Council considers that the level of cooperation undertaken by West Lancashire Borough Council has complied with their duty to cooperate responsibilities during the preparation of the WLPTSDPD</p> <p>Chorley Council objects to the WLPTSDPD which proposes not to meet in full its GTAA need for Traveller accommodation for the short term or for the long term due to the constraints of the borough. Chorley Council would encourage West Lancashire to review its safeguarded land and explore the potential of existing housing, employment and retail allocations to meet their traveller needs. No Gypsies or Travellers or Travelling Showpeople from West Lancashire demonstrated a connection or need to locate in Central Lancashire in the Central Lancashire GTAA. However, Chorley Council considers the lack of sites could lead to increased illegal encampments and a demand for transit and/or permanent Gypsy, Traveller and Travelling Showpeople accommodation in their borough.</p>		<p>Noted</p> <p>Comments noted. As set out in the DPD, the Council has reviewed its safeguarded land, as well as housing and employment allocations, but these searches have failed to yield any deliverable sites.</p>

*** Consultation Questions posed in the Provision for Traveller Sites DPD: Options and Preferred Options consultation (Dec 2015 – Jan 2016)**

- (1) Is Policy GT1 sufficiently consistent with national policy, whilst reflecting local circumstances?
What amendments, if any, should be made to the criteria in Policy GT1?
Do you have any other comments on Policy GT1?
- (2) Are the criteria for site selection sufficiently consistent with national policy, whilst reflecting local circumstances?
What amendments, if any, should be made to the criteria?
Do you have any other comments on the criteria for site selection?
- (3) Do you have any comments about the list of proposed candidate Traveller sites?
Are there any other sites that should be added to this list?
Should any of the excluded sites be reinstated, or should any of the candidate sites be excluded?
- (4) Is the assessment of the candidate Traveller sites correct?
Are there any factual errors that need to be corrected, or are there any other amendments that should be made to the site assessments in Appendix 1?
- (5) What amendments, if any, should be made to the list of 'Preferred' sites for providing Traveller accommodation?
Do you have any other comments on the list of 'Preferred' sites?
- (6) What amendments, if any, should be made to the alternative options for providing Traveller accommodation, and their being discounted?
Do you have any other comments on the alternative options?