



**Central Lancashire Local Plan 2023 - 2041
Regulation 19 Consultation, February 2025**

Representation 1

On behalf of Michael and Patty Linfoot

**Relating to Policy HS13 (Strategic Policy): Gypsy, Traveller, and
Travelling Showperson Needs Sections 1. and 2.**

1.0 Why the Plan is Unsound

- 1.1 Policy HS13 is profoundly inadequate and unsound.
- 1.2 It ignores the para 9. PPfTS requirement to set pitch targets for Gypsies and Travellers which address likely permanent and transit needs. It ignores the para 10 a) and b) PPfTS requirement to identify a supply of specific deliverable sites, and specific developable sites or broad locations for growth.
- 1.3 The Councils have failed to make use of the process to alter Green Belt boundaries to meet Traveller needs at para 17 PPfTS, which in the circumstances of Central Lancashire is an obvious and appropriate way of making allocations and avoiding the need for high conflict and high cost (for all parties) planning appeals.
- 1.4 The fact that the plan fails to make adequate or indeed any allocations for Gypsies and Travellers means that the plan is contrary to the social objective of sustainable development at para 8 b) NPPF, that it ignores the objectives towards the supply of homes and for different groups in the community at paras 60 and 63

NPPF, and that it is contrary to the objectives at paras 4 b), 4 e), 4 h), and 4 j) PPfTS, and the sustainability objectives for Gypsy sites at paras 13 b), 13 c), 13 d), and 13 h) PPfTS.

- 1.5 The policy failure is particularly unreasonable because of the character of Central Lancashire. Apart from an area to the north of Preston, nearly all of the three districts are either within the footprint of the settlements where land values will in most cases be prohibitive for Gypsies¹ or included within the Green Belt, National Landscape or an SSSI. Together with the cultural preference of Gypsy people to live in the countryside, (which is acknowledged at paras 14 and 25 PPfTS) this forces Travellers to acquire land themselves to find somewhere to live and means that sites acquired by Travellers will probably be in the current Green Belt. On the basis of the in principle unacceptability of Traveller sites in the Green Belt, the Councils' policy failure will make it difficult and expensive to get planning permission and sets up a high degree of conflict over any applications which come forward.
- 1.6 The position represents a policy failure by Chorley Council, and probably the other Councils, going back many years. Apart from the former local authority site in Preston, the only currently occupied sites: 2 Heath Paddock; Town Lane Whittle-le-Woods; and Rosemary Lane, Catforth are all sites, which people were forced to move onto without planning permission because of the absence of provision.
- 1.7 It took Mr and Mrs Linfoot 15 years between moving on the site they own and occupy at [REDACTED] and finally getting permanent planning permission in October 2024. That 15 years involved two s.78 planning appeals, a High Court challenge, considerable engagement in the examination of the Chorley Local Plan and no less than five temporary permissions. That convoluted and expensive planning history was a consequence of Chorley Council's failure to make any allocations, and indeed originally to accept that there was a Gypsy community with needs for specific accommodation in Chorley.
- 1.8 The implication of the flaws in the Local Plan identified in the above paragraphs, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

¹ The Town Lane, Whittle-le-Woods site may be an exception to this on the basis that the land may be contaminated.

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

2.0 **Actions and Modifications**

- 2.1 In this section we identify the minimum essential actions and modifications necessary to make Policy HS13 of the plan sound in regard to the soundness issues identified above.
- 2.2 We would ask the Inspector appointed to examine the plan to make clear that that the plan cannot be found sound without adequate allocations for Gypsy and Traveller residential use.
- 2.3 Given the work required to identify and appraise sites, and Ministers' requirements for plans to be adopted within 30 months, we would ask the Inspector to identify the plan's unsoundness in regard to allocations for Gypsies and Travellers at the earliest possible point in the process.
- 2.4 In the following paragraphs we suggest modifications to the text of Policy HS13 to mean it will be sound. The paragraphs in bold represent suggested text.
- 2.5 The paragraphs headed comments provide justification for the text we propose.
- 2.6 **1. The need for at least an additional 49² permanent Gypsy and Traveller residential pitches will be provided for by the following allocations. Where the sites were previously in the Green Belt, the land should be removed from the Green Belt and allocated as a Gypsy and Traveller residential site only.**

Site Ref	Location	Number of Pitches
----------	----------	-------------------

² Or an alternative figure agreed through the examination – see Mr and Mrs Linfoot's Representation 3.

HS13.1	1 and 2 Heath Paddock, Hut Lane, Heath Charnock, Chorley	3 in addition to the 3 pitches that already have planning permission on 2 Heath Paddock
HS13.2 etc		

- 2.7 **2. Development proposals for alternative uses of authorised permanent sites will only be permitted where evidence clearly demonstrates:**
- a) the site is no longer needed to meet the identified need in the latest GTAA; or**
 - b) alternative provision has been secured for an equivalent number of pitches.**

Comments

- 2.8 For the following reasons there is a particularly compelling case for removing 1 Heath Paddock from the Green Belt and allocating it for a Gypsy and Traveller residential site (along with the already authorised 2 Heath Paddock):
- Heath Paddock forms part of a group of properties to the east of the M61, which consists of the cottages at 1-4 Red Row, the farm buildings of Hallsworth Fold Farm, and the residential development of Olde Stoneheath Court, which was built on the site of the former Heath Charnock Isolation Hospital;
 - Designation of the area as Green Belt predated the M61, and the character of the application site and the surrounding area was profoundly affected by construction of the road. Prior to its construction the site was in agricultural use. The Hut Lane bridge, which overlooks the site, had the effect of separating it from the agricultural land to the east and the site reads as part of the cluster of development containing Red Row Cottages and Olde Stoneheath Court.

- During road construction, it was used as a contractor's yard with site offices and residential caravans. Following completion of the motorway it was cleared of materials, but left covered by hard core;
- The land is an extension of the existing authorised site. As a consequence, the impact of its development on openness would be significantly less than for most new sites in the countryside;
- The site is well screened by mature vegetation;
- Based on the potential to access it through 2 Heath Paddock there is no need to remove established vegetation and reduce screening to provide access to the land;
- As far as we are aware, it is the only site (along with 2 Heath Paddock), which was proposed for Gypsy and Traveller residential use through the Local Plan Call for Sites;
- The site is owned by Chorley Council and is readily available for development;
- Providing agreement can be reached with the Linfoots about their acquisition of the land, the Linfoots would be keen to develop the site themselves at nil cost to the public purse, as they have done with 2 Heath Paddock.

- 2.9 Given how much of Central Lancashire is within the built up area, Green Belt, National Landscape or SSSI, to depend on windfall applications to meet needs would be unsound and wrong.
- 2.10 To meet the requirement for an additional 46 pitches (or agreed alternative figure, that is 49 less the 3 pitches at 1 Heath Paddock), sites will need to be identified, appraised, and agreed through Major Modifications to the Plan. The sites to be appraised should include Town Lane Whittle-le-Woods; and Rosemary Lane, Catforth and, if appropriate, the site referred to at para 6.54 of the GTAA
- 2.11 The proposed wording for Section 2. of Policy HS13 reflects Mr and Mrs Linfoot's support for the principle of including policy, which resists the loss of authorised sites, but extends that policy to all the allocated and authorised sites, not just HS13.1 and HS13.2, as in the Draft Plan.