

CENTRAL LANCASHIRE LOCAL PLAN: REGULATION 19 CONSULTATION
LEGAL COMPLIANCE

1. We consider that the way the local authorities have approached the preparation of the Local Plan is not legally compliant for the following reasons:
 - 1.1 The Local Plan is being prepared under section 28 of the Planning and Compulsory Purchase Act 2004 (“Act”). Section 28 of the Act requires that anything that is done by one of the local planning authorities in connection with a local plan must be done by each of them. Accordingly, the Local Plan will be required to be adopted by a separate decision of each local authority and will comprise three separate local plans that have been concurrently prepared.
 - 1.2 A formal joint committee of the local planning authorities has not been established under section 29 of the Act. Therefore, the Local Plan is not a single joint local plan.
 - 1.3 Paragraph 234 of the NPPF refers to a single plan and not numerous concurrently prepared plans. Accordingly, the Local Plan does not fall within the scope of paragraph 234 of the NPPF and cannot be prepared in accordance with the previous version of the NPPF.
 - 1.4 Even if each of the concurrent plans are considered to have reached Regulation 19 by the relevant date set out in paragraph 234 of the NPPF:
 - 1.4.1 Chorley’s housing requirement does not meet at least 80% of local housing need; and
 - 1.4.2 Footnote 83 of the NPPF states that the housing requirement on which 80% should be measured should be calculated using the standard method in the NPPG published on 12 December 2024. The PPG requires that the local housing need requirement is updated using regular evidence and for Central Lancashire the current local housing need totals 1,663 dpa. As such the proposed housing requirement set out at draft Policy HS1 amounts to 79.1%.
- Accordingly, this does not meet the conditions of paragraph 234 of the NPPF and cannot be prepared in accordance with the previous version of the NPPF.
2. For these reasons the local authorities have proceeded on a legally flawed basis. They are seeking to benefit from the transitional arrangements set out in paragraph 234 of the NPPF and the aggregate application of the requirement to provide at least 80% of local housing need across the three local authorities when they are not progressing a joint local plan but in fact three separate but concurrently prepared local plans.
 3. Story Homes, Persimmon Homes and Northern Trust reserve the right to raise this issue in front of the Inspector. However, we urge the local authorities to reconsider their position in light of the points raised above and undertake the regulation 19 consultation again on the correct legal basis.

14 April 2025
Pinsent Masons LLP