

**Central Lancashire Local Plan Team
By Email**



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Ref: CLLPR19**

Subject: West Lancashire Borough Council Response to Central Lancashire Local Plan Regulation 19 Consultation

Dear Sirs,

1. I am writing to provide Officer comments on the Central Lancashire Local Plan Regulation 19 document consultation on behalf of West Lancashire Borough Council. Whilst we acknowledge the considerable work undertaken in the development of the Local Plan, we wish to raise certain matters where we believe further clarification and supporting evidence would enhance the plan's overall soundness. Specifically, we have concerns regarding the adequacy of evidence related to Transport and Social Infrastructure, as well as the clarity of Policy HS13 (Strategic Policy): Gypsy, Traveller and Travelling Showperson Needs. We believe that addressing these points will help to ensure the plan's legal compliance and soundness and mitigate any potential impact on West Lancashire Borough Council.
2. The Planning Inspectorate's Procedure Guide for Local Plan Examinations (last updated August 2024) provides practical guidance on the procedural aspects of the examination of local plans. Whilst the Procedure Guide is guidance it provides for a consistent approach in the way local plan examinations are conducted and provides transparency for those responsible for producing, examining and commenting on local plans. Inspectors are reminded to have regard to the spirit of other procedures adopted in the planning system including timescales for making documents available. I consider that not all documents required to enable me to comment on the soundness of the Local Plan have been made available. Ultimately, the Plan that is published for consultation at Regulation 19 stage should be the plan that the Council(s) intend to submit to the Planning Inspectorate for examination. West Lancashire Borough Council Officers have concerns that the plan is not ready for submission based on deficiencies in the evidence to support the plan and shortcomings in the Duty to Co-operate.

Legal Compliance

3. We have concerns that the Plan does not fully comply with legal requirements. Specifically, there appear to be gaps in the Duty to Co-operate, as the engagement with neighbouring authorities and other organizations seems insufficient and lacks clarity on what outcomes were achieved following discussions. There is also the failure to survey the area and neighbouring area in accordance with Regulation 13 of the Planning and Compulsory Purchase Act (2004) (as amended) – this is in relation to evidence relating to infrastructure.

Duty to Co-operate

4. Document DC2 Interim Duty to Co-operate Statement has been published to support the Pre-Submission Central Lancashire Local Plan and the document at 1.0.1 says that the document will be updated and the final version published to support the submission of the plan for examination. Meetings between West Lancashire Borough Council and the Central Lancashire Local Planning Authorities have been held before 2024 during earlier stages of plan preparation so it is surprising to see that these are not listed in Appendix 1 of document DC2. Appendix 1 is brief and does not explain what was discussed in detail; this is where Statements of Common Ground would be expected to expand on the key strategic matters and a record of where agreements have or have not been reached on these matters. West Lancashire Borough Council is yet to sign a Statement of Common Ground with the Central Lancashire authorities and therefore we object to the submission of the Local Plan to the Planning Inspectorate in its current form until areas of agreement and disagreement between West Lancashire Borough Council and the Central Lancashire Local Planning Authorities are discussed and confirmed.
5. A meeting was held on 13 November 2024 between West Lancashire Borough Council and the Central Lancashire Local Plan team consisting of officers from the Central Team, Chorley Borough Council, South Ribble Borough Council and Preston City Council. A number of queries were raised during the meeting in relation to transport evidence, employment need, consideration of the Shoreline Management Plan and long-term flood risk associated with rivers and the sea, and consultation with Clinical Commissioning Groups (*now Integrated Care Systems*) to understand supply and demand of space for primary care provision. It was intended that further research and discussion after the meeting would take place to resolve these outstanding queries, but West Lancashire Borough Council Officers are not aware that any of these queries have been resolved prior to publication of the Regulation 19 Central Lancashire Local Plan. In addition, no further meetings between ourselves have been held.
6. Should there be further discussion around the above matters and the drafting and signing of a Statement of Common Ground highlighting areas of agreement and disagreement, the content of the plan may change and therefore this might not be the final version of the plan ready for submission to the Planning Inspectorate. As a result, West Lancashire Borough Council objects to the published Regulation 19 version of the Central Lancashire Local Plan because it is considered that it does not comply with the Duty to Co-operate under Section 33A of the Planning and Compulsory Purchase Act (2004) (as amended).

Infrastructure Evidence

7. Regulation 13 of the Planning and Compulsory Purchase Act (2004) (as amended) requires the plan-making authority to keep under review the matters which may be expected to affect the development of their area of the planning of its development. These matters include, amongst other things, the transport system and traffic of the area.
8. West Lancashire Borough Council adjoins South Ribble Borough Council and Chorley Borough Council and the strategic road network crosses the boundaries at various points, including the A59, A581 and the M6. From the scale of growth envisaged in the Central Lancashire Local Plan it is not known what the potential impacts of development are on transport networks because the Transport evidence to support the plan has not been published as part of this Regulation 19 consultation. This is corroborated by the commentary in document IT4a Updated Infrastructure Delivery Plan (January 2025) at section 4.1 Cost Estimates which says that the estimated costs of delivering the infrastructure required to support the anticipated growth in the draft plan does not include the associated costs for any additional transport improvements arising from the ongoing study, nor educational requirements.
9. Further, Table 3: Estimated School Demand in Central Lancashire of document IT4a Updated Infrastructure Delivery Plan (January 2025) does not show demand for secondary school places, so it is not known whether there will be an impact on the supply and demand for school places across the boundary with schools in West Lancashire. There are secondary schools that adjoin or are in reasonable travel distance of proposed allocations in South Ribble and Chorley Boroughs and it is unclear from the evidence where the demand from these housing sites will be met. The consequences of this are that if demand is to be met from secondary schools in West Lancashire, such as Tarleton Academy, this might lead to travel impacts and limit the school's capacity to accommodate future growth within West Lancashire.
10. Therefore, it is not known whether the proposed infrastructure listed in IT4b Central Lancashire Updated Infrastructure Schedule is sufficient to meet the scale of growth that is planned for in the Local Plan. This can be remedied through the publication of all evidence that is needed and has been gathered to support the development of the plan.

Soundness

11. Paragraph 35 of the National Planning Policy Framework (2023) against which this Plan is understood to be prepared and examined against sets out the tests of soundness for a Local Plan, which are that Plans are 'sound' if they are:
 - a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

12. Without being able to view and analyse the Transport evidence, it is not known what the impact of the Local Plan is on the communities across West Lancashire. It is considered that the Plan is not based on proportionate evidence and therefore is not justified. The Duty to Co-operate issues set out above result in Council Officers concluding that the draft Local Plan is not based on effective joint-working on cross-boundary strategic matters and therefore is not effective. Below are other comments on policies and the content of the Local Plan:

Development Requirements for Proposed Allocations

13. The key development considerations for proposed allocated sites should be set out within Policy and not retained in an Appendix. This helps provide certainty to applicants and developers about what is expected of them to support an application and contribute to achieving sustainable development across the plan area.

Provision for Gypsies and Travellers

14. Policy HS13 does not specify how many pitches shall be provided at the two allocated and safeguarded Gypsy and Traveller sites. There is a need for 27 additional pitches over the 5-year period of 2024/25 to 2028/29 but it is not clear how much of this need can be met on the two allocated and safeguarded sites. A longer-term need of 22 pitches is identified in Chorley and Preston, but it is not clear where this need will be met. The Planning Policy for Traveller Sites (2024) says that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets and identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11 to 15. As a result, there is a concern that the lack of sufficient allocation or identification of broad locations for growth for future Gypsy and Traveller need could lead to outward migration to West Lancashire Borough and potential unauthorised encampments. Therefore, it is considered that the draft Local Plan is not consistent with national policy, namely the Planning Policy for Traveller Sites.

15. In addition, deferring the management of transit Gypsy and Traveller provision to a statement of fact that each Council will adopt a negotiated stopping policy to meet the transit needs of Gypsies and Travellers is not a "policy". This should be in the supportive / justification text to the policy.

Housing Trajectory

16. The Housing Trajectory at Appendix 3 shows projected completions from allocated sites in years 2024/25 onwards. It is not clear how this will be achieved if the allocated sites are not already subject to an implementable planning permission. The following row in each Housing Trajectory table is titled "Projected completions on non-allocated existing

commitments at 1st April 2024". Clarity is sought on whether the sites subject to allocation are already under construction and therefore are contributing / expecting to contribute to the early years of the housing trajectory or do not have permission and will only be delivered following allocation and achieving planning permission.

Conclusion

17. Overall, I find that the current version of the Central Lancashire Local Plan has not yet demonstrated legal compliance or soundness but that these matters can be resolved. We encourage the Central Lancashire Local Planning Authorities to review these issues to ensure the plan aligns with national policy and legislation and does not adversely affect the communities of West Lancashire. We look forward to working with you to resolve these outstanding matters.

Thank you for considering my comments.

Yours sincerely,

T McGowan

Tom McGowan
Strategic Planning Manager, sent under authority of

Paul Charlson
Assistant Director of Planning and Regulatory Services