

Response ID ANON-XXXX-WABG-S

Submitted to Central Lancashire Local Plan Regulation 19 Representation Period
Submitted on 2025-04-09 18:50:04

Part A: Personal Details

1 What is your title?

Mr

2 What is your first name?

First Name:
James Graham

3 What is your last name?

Last name:
Ashworth

4 What is your job title? (if relevant to the representation)

Job title:
[REDACTED]

5 What is your organisation? (if relevant to the representation)

Organisation:
[REDACTED]

6 What Authority do live/work in?

[REDACTED]

7 What is your address?

Address line 1:
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8 What is your email address?

Email:
[REDACTED]

Part B: Representation

9 Which part of the Central Lancashire Local Plan would you like to make a representation about?

Chorley Site Allocations

Chorley Site Allocations

270 Which site allocation would you like to make a representation for?

site allocation reference:
HS2.5

271 Do you consider the Central Lancashire Local Plan is:

Spatial Vision: Soundness/legal/DtC - Legally Compliant:
Yes

Spatial Vision: Soundness/legal/DtC - Sound (If you check 'No', please also confirm below which of the 'tests' it fails to meet):

Yes

Spatial Vision: Soundness/legal/DtC - a) Positively prepared:

Yes

Spatial Vision: Soundness/legal/DtC - b) Justified:

Yes

Spatial Vision: Soundness/legal/DtC - c) Effective:

Yes

Spatial Vision: Soundness/legal/DtC - d) Consistent with national policy:

Yes

Spatial Vision: Soundness/legal/DtC - Complies with the Duty to Cooperate:

Yes

272 Please give details of why you consider the Central Lancashire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible (i.e., if objecting on legal grounds then please quote the specific law that the Central Lancashire Local Plan does not conform with). If you wish to support the legal compliance or soundness of the Central Lancashire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Chorley site allocations: soundness/legality/DtC:

CLLP will or should be legally compliant as it requested by Central Government, Soundness and compliance of soundness should comply with all relevant legislation otherwise it will be a flawed document and not compliant, how the public then uses this document and their answers is up to the person using or answering on this form.

273 Please set out the modification(s) you consider necessary to make the Central Lancashire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in the question above. (Please note that non-compliance with the duty to co-operate is incapable of modification at Examination). You will need to say why each modification will make the Central Lancashire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Chorley site allocations: modifications:

Central Lancs Local Plan 2026-38.

Shelaa References, 19C272x, 19C103, 19C134.

Site Profile 33.

Please accept this letter as objection to your proposals to have the above site references to be included in the above CLLP 2026-38, the following applies which I feel has a major bearing on the allocated site and to the local area of Heath Charnock.

During the last local plan -Chorley Local Plan- also known as the LDF 2012-2026, approx 281 houses were built during this period on 3 major sites, ie Bolton Rd, Railway Rd, and Westhoughton Rd, these sites have been completed, this is not counting any other infill development plots.

The new CLLP for the period of 2026-38 proposes another 210 house building plots including 40 on the above named site, Site Profile 33. This is totally unsustainable given the previous plan and the new plan to 2038, a total of 491 houses in our 3 parishes, without going into fine detail since 2012 there has been no extra provision and expansion of our existing local infrastructure, this includes roads and public transport which in some cases has seen services withdrawn, there has been no extra provision for education both primary and secondary, it has now come to the point that two schools have reduced their total intake for secondary education and some children are having to travel to schools outside the Chorley area for their education, health care is also suffering, Doctors, Dentists, Opticians, appointments are increasingly hard to come by and where we ask are the places and medical care going to come from including hospitals and the care they provide.

The new CLLP as proposed on Site Profile 33, 'The Proposed Allocation' Site Assessment, Flood Risk. This goes into great detail on Page 2 and noted below are a 'Summary of Constraints', these state there is a risk of surface water flooding. The planning application needs to be supported by a flood risk assessment, a Sequential Test and catchment wide drainage strategy. Note to date no such test has been carried out with any previously submitted planning applications for this site.

Highways and Transport. Babylon Lane has for a large distance has double yellow lines on the up lane, this has made the passage along Babylon Lane difficult in the extreme and on most occasions a motorist has to pull over or give way in either direction. Lancashire County Council Highways carried out a survey of Babylon Lane on two occasions and they came back with conflicting data, one was low in the traffic count that

it could have only been carried out during the school holidays and not during the opening and closing times, this was commented on by a number of local residents.

The Environment Agency noted in the first consultation exercise of this new plan that these two sites be discounted from development due to a significant level of fluvial, tide or surface water flood risk (if development cannot be directed away from areas at risk). Part of the site within medium surface water risk zone. The Environment Agency advised avoiding development at this site and retaining the existing priority habitat which is providing flood storage and carbon benefits.

Flood Risk. A meeting was convened by the LPA with JBA consulting, I along with other council members attended this meeting and I quote Level 2 SFRA which could not have been put together any better, without going into minute detail the consultant JBA requested a SFT be carried out, this is still yet to be completed. Before submission of any planning application, NPPF para 172 spells this out in detail in the new revised document of March 2025. The flood risk assessment of climate change on surface water have not been considered.

There are several unknowns, up stream there is an ornamental lake in the grounds of a property known as Newlands, this is fed from the M61 motorway and 2 mill lodges in the adjacent fields to the North, the down stream culvert which is fed from both the above is in a very poor condition and no survey of its structural integrity has been carried out, the contractor is hoping to use this culvert for the disposal of the surface water from the site, should the culvert fail as noted in the flood risk section Level 2 then major problems will occur. The entrance to the culvert is in a 2mtr open cutting and the whole of this is in a very poor condition, in periods of heavy rain this cutting fills and overtops finding its way to Babylon La across the site, the whole of this road was engulfed in water which found its way into Fielding Place, this last occurred on 5th December 2024 that I know of.

It must be noted here that during the Construction of Whitebeam Close all the excavated material was spread over the site, nothing was carted away, some 1600 m3 of clay, this has sealed the site and increased the run off down to Appenzell's drive and onto Babylon La, there is now no way rain water run off can be absorbed through the clay and into the subsoil.

A previous contractor surveyed and trial holed this site as far back as 1971 with a view to purchase for development only to find at depth a layer of impermeable clay, having found this he deemed the site unsuitable for development and did not proceed.

Finally and in conclusion the NPPF paras 172 to 175, Para 172 states that all plans submitted should apply a sequential test, risk based approach to the location of the development taking into account all the sources of flood risk and the future impacts of climate change. This process and tests have never been requested by the local planning authority contrary to the above paras 173 and 175, these paragraphs state that where a risk of flooding exists then as in para 174 the development be steered away from the proposed site, para 175 also states that any flood risk that exists now or in the future, adjusting site levels to elevate flooding then the development is not to proceed.

This site has had a number of planning applications by the same developer, 23/00510/OUTMAJ was refused by the Development Control Committee and was subsequently

referred

to

the Planning Inspectorate, Appeal reference

APP/D2320/W/23/3329702, the hearings took place on the 8th February and 23rd April both 2024. The Inspector pays attention to drainage of the site in paras 11 to 27, all these paragraphs give a precise reason for avoiding development of this site, each paragraph makes reference to flooding, applying a sequential flood test, para 26 is clear, The Framework states when a site is identified as being at risk of flooding and it fails the Sequential Test then the development be refused.

The Planning Inspector's Conclusions and Conditions, para 51 of her report applies, 'I have set out above why I consider the scheme would result in inappropriate development in a flood risk area. In light of clear conflict with local and national policy the benefits of the scheme to housing supply, and the other identified benefits, do not justify determining the proposal otherwise than in accordance with the development plan taken as a whole'

Para 52 also states 'Accordingly, for reasons given above the appeal should be dismissed and planning permission refused.'

This appeal decision should be read in total and in view of the reasons above this allocation, Site Profile 33 should be withdrawn from the current CLLP and classed as a discounted development, flooding is a major risk and will only get worse with climate change, accordingly no development now or in the future should take place on this proposed CLLP site.

J.G. Ashworth.

28th March 2025.

274 Do you wish to make another representation?

No

Declaration

300 This is the final page of the Regulation 19 Consultation survey. After completing this page, your response will be submitted. If you wish to go back and make a representation on another part of the survey, please click 'go back' below.

Not Answered

301 If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

302 If you have answered 'yes' to the question above, wishing to participate in the hearing session(s), please outline why you consider this to be necessary:

why participation is necessary:

The site HS2.5 has major flooding problems which will seriously make development difficult and no sequential flood test has been carried out. This needs to be brought to the attention of any future developer and local authority. See attachment

303 By completing and submitting this representation, I agree to my name (and other relevant details necessary) and representation(s) being shared and made available for public viewing.

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304 If you wish to be contacted further at future stages of the Local Plan process and to be added to the Central Lancashire and/or district individual consultation databases, please select the relevant option below

Future stages on the Local Plan - I wish to be contacted at future stages of the Local Plan process and added to the Local Plan Consultation database for Central Lancashire:

No

Future stages on the Local Plan - I wish to be contacted about Planning Policy matters and added to the Chorley Consultation database.:

Yes

Future stages on the Local Plan - I wish to be contacted about Planning Policy matters and added to the South Ribble Consultation database.:

No

Future stages on the Local Plan - I wish to be contacted about Planning Policy matters and added to the Preston Consultation database.:

No