

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

I consider the Central Lancashire Local Plan to be *unsound* and *not legally compliant* for the following reasons:

1. Failure to Comply with National Planning Policy Framework (NPPF) – Soundness

The plan fails to meet the tests of soundness set out in paragraph 35 of the NPPF. Specifically:

- **Justified** – The plan is not based on an appropriate strategy, taking into account reasonable alternatives. There has been insufficient evidence provided to show that the proposed allocations are the most sustainable or appropriate option compared to other reasonable alternatives.
- **Effective** – There is inadequate evidence of cross-boundary cooperation or joint working with neighbouring authorities, especially regarding infrastructure provision and cumulative environmental impact. This raises questions about the deliverability of the proposed allocations.

2. Lack of Legal Compliance – Strategic Environmental Assessment (SEA)

The Plan may be in breach of the Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004/1633), particularly Regulation 12, which requires that a Strategic Environmental Assessment (SEA) be undertaken to assess the likely significant effects of the plan on the environment. The Environmental Report lacks proper consideration of cumulative effects, especially on landscape, biodiversity, and traffic, particularly where large housing allocations are proposed near sensitive or overburdened areas.

3. Failure to Comply with the Duty to Co-operate

Under Section 33A of the Planning and Compulsory Purchase Act 2004 and Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012, local authorities are legally required to engage constructively and on an ongoing basis with neighbouring authorities and relevant bodies on strategic matters. The evidence provided in the Duty to Co-operate Statement is insufficient and does not clearly demonstrate that meaningful collaboration has occurred with surrounding authorities regarding housing need distribution, transport infrastructure, and environmental impact mitigation.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the 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

1. Strategic Environmental Assessment (SEA) and Evidence Base

Modification Requested: Revise the Environmental Report to include a more robust assessment of:

- The cumulative impact of all proposed allocations on traffic, biodiversity, landscape, and air quality.
- Reasonable alternatives to major site allocations, including smaller-scale dispersal and urban intensification options.

Why this is necessary: This will ensure compliance with Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 and satisfy the *justified* test under paragraph 35 of the NPPF by demonstrating that the preferred spatial strategy is based on sound comparative evidence.

2. Infrastructure Alignment and Delivery

Modification Requested: Include a detailed Infrastructure Delivery Plan (IDP) alongside the Local Plan, clearly linking development phasing to delivery of key infrastructure (transport, health, education, utilities).

Suggested addition to policy or supporting text:

“Development will only be permitted where it is demonstrated that necessary infrastructure will be provided in a timely and coordinated manner to support sustainable communities.”

Why this is necessary: This will address the *effective* test of soundness by making the plan more deliverable and ensuring alignment between housing growth and infrastructure capacity.

3. Clarity on Sustainability Objectives

Modification Requested: Amend the Sustainability Appraisal and relevant policy wording to more explicitly support active travel, public transport, climate resilience, and net biodiversity gain.

Suggested addition to policy wording:

“All major developments must demonstrate measurable net gains for biodiversity, integrate sustainable drainage systems (SuDS), and maximise accessibility via active and sustainable travel modes.”

Why this is necessary: This will bring the plan in line with key principles of sustainable development in the NPPF and legal duties under the Environment Act 2021.

In order to make the Local Plan legally compliant and sound, I request that the Plan be modified to include a reassessment of the Green Belt boundary in the vicinity of Hugh Barn Lane, New Longton, with a view to identifying appropriate, sustainable, and deliverable sites for development that have been unjustifiably excluded.

The current Green Belt assessment has not adequately considered the potential of this site to contribute positively to local housing need, nor has it appropriately balanced the Green Belt purposes against other sustainability objectives. The site is enclosed, well-contained, and lies adjacent to the existing settlement boundary of New Longton, offering a logical and limited extension to the village. Its release would cause minimal harm to the wider Green Belt, especially when compared to more exposed or isolated Green Belt release sites elsewhere in the plan.

Additionally, I request a revision to the Sustainability Appraisal (SA) to ensure that land off Hugh Barn Lane is properly and fairly assessed against alternative site options. The current SA and site selection methodology do not provide transparent or consistent criteria for exclusion of this site and fail to demonstrate that the preferred allocations perform better against sustainability objectives.

These revisions are necessary to satisfy the “justified” and “effective” tests of soundness in paragraph 35 of the NPPF and to ensure the plan is based on robust evidence.

Representation on Behalf of Landowner: Promotion of Land off Hugh Barn Lane, New Longton

1. Introduction

This representation is submitted on behalf of the landowner of land off Hugh Barn Lane, New Longton, in response to the Regulation 19 consultation on the Central Lancashire Local Plan 2023–2041. The representation seeks the allocation of this site for residential development, addressing concerns regarding the Plan's legal compliance and soundness, and providing supporting arguments for the site's inclusion.

2. Site Description

The site comprises approximately 8.55 hectares of land located to the west of New Longton village, accessible via Hugh Barn Lane. The land is currently agricultural, flat, and well-contained by existing hedgerows and tree lines. It is adjacent to the existing settlement boundary, with immediate access to local amenities and services within New Longton.

3. Planning Context

3.1 National Planning Policy Framework (NPPF)

The NPPF emphasises the importance of sustainable development, requiring plans to promote a sustainable pattern of development that seeks to:

- Meet the development needs of their area;
- Align growth and infrastructure;
- Improve the environment;
- Mitigate climate change.

Furthermore, the NPPF allows for Green Belt boundary alterations through the plan-making process, provided that exceptional circumstances are fully evidenced and justified.

3.2 Central Lancashire Local Plan Objectives

The Plan aims to deliver sustainable growth, focusing on:

- Meeting housing needs;

- Supporting rural communities;
- Protecting the environment;
- Ensuring infrastructure delivery.

Allocating land off Hugh Barn Lane aligns with these objectives by providing sustainable housing growth within a rural community, utilising land that can be integrated with existing infrastructure.

4. Legal Compliance and Soundness

4.1 Legal Compliance

The Plan must comply with the Planning and Compulsory Purchase Act 2004 and associated regulations, including:

- **Duty to Cooperate:** Engaging constructively with neighbouring authorities.
- **Strategic Environmental Assessment (SEA):** Assessing the environmental impacts of the Plan.

Concerns:

- The SEA does not adequately assess reasonable alternatives, such as the land off Hugh Barn Lane.
- There is insufficient evidence of cooperation regarding the distribution of rural housing needs.

4.2 Soundness

The Plan must be:

- **Positively Prepared:** Meeting objectively assessed development needs.
- **Justified:** Based on proportionate evidence.
- **Effective:** Deliverable over the plan period.
- **Consistent with National Policy:** Aligning with the NPPF.

Concerns:

- The exclusion of the Hugh Barn Lane site lacks justification, especially given its sustainability credentials.
- The Plan's strategy may not effectively meet rural housing needs, particularly in sustainable villages like New Longton.

5. Supporting Arguments for Site Allocation

5.1 Sustainability

- **Location:** Proximity to local services, including schools, shops, and public transport.

- **Accessibility:** Direct access from Hugh Barn Lane, with potential for safe pedestrian and vehicular access.
- **Environmental Impact:** The site is well-contained, minimising visual impact and preserving the character of the countryside.

5.2 Deliverability

- The land is under single ownership, ensuring straightforward delivery.
- No known constraints that would impede development.
- The site can contribute to housing supply in the early years of the Plan period.

5.3 Contribution to Housing Needs

- Addresses the need for housing in rural areas.
- Supports the vitality of New Longton by providing homes for various demographics.
- Aligns with the objective of distributing growth across sustainable settlements.

6. Proposed Modifications

To address the concerns outlined:

- **Allocate the land off Hugh Barn Lane, New Longton, for residential development:** Recognise the site's suitability and contribution to sustainable growth.
- **Reassess the Green Belt boundary in this location:** Evaluate the potential for minor boundary adjustments to accommodate sustainable development without compromising Green Belt objectives.
- **Revise the Sustainability Appraisal:** Include a comprehensive assessment of the Hugh Barn Lane site as a reasonable alternative, ensuring decisions are based on proportionate evidence.

7. Conclusion

Allocating land off Hugh Barn Lane, New Longton, aligns with national and local planning objectives, offering a sustainable, deliverable solution to meet housing needs in a rural community. The current omission of this site raises concerns regarding the Plan's legal compliance and soundness. We respectfully request the Plan be modified to include this site, ensuring a justified and effective strategy for sustainable development.

