

Stantec on behalf of Story Homes, Persimmon, Taylor Wimpey, Wain Homes and Northern Trust (the 'Consortium')

Examination into the Central Lancashire Local Plan

Matter 1a – Legal Compliance

Issue 1: Has the Council complied with the duty to co-operate and other relevant procedural and legal requirements in the preparation of the Local Plan.

Q1.1 In preparing the Plan did the Councils engage constructively, actively and on an ongoing basis with neighbouring authorities and other relevant organisations on crossboundary issues, in respect of the Duty to Co-operate?

- What engagement with neighbouring authorities has taken place as to the scale and form of development proposed and any strategic matters arising from this? What are the cross-boundary issues relating to economic growth and employment land provision? What was the outcome?

- Are there any strategic cross-boundary issues in relation to any of the proposed site allocations and any general policies, and if so, how have they been considered via the Duty to Co-operate?

[Note: this question concerns the engagement undertaken by the Councils during the preparation of the Plan and does not directly relate to the content of the Plan and whether or not it is sound, which is considered under other Matters]

1. No comment.

Q1.2 Has the Plan been prepared in accordance with the adopted Local Development Scheme (CD12)?

2. No comment.

Q1.3 Has consultation on the plan been carried out in accordance with the Council's Statement of Community Involvement and the requirements of the 2004 Act (as amended) and the 2012 Regulations?

3. No comment.

Q1.4 Does the Integrated Assessment (IA) provide a comprehensive and robust basis to inform the strategy and contents of the Plan, particularly in terms of:

- (a) Its assessment of the likely effects of the plan's policies and allocations?**
- (b) Its consideration of reasonable alternatives, including the development quantum and spatial distribution options? Does it capture all reasonable alternative site options put forward in the Plan preparation process? Can these be compared on a like for like basis?**
- (c) Its explanation of why the preferred strategy and policies were selected?**
- (d) Its assessment of the amount of development that would arise as a result of the provisions in the Plan?**

[Note: This question focusses on the legal compliance of the IA in broad terms. The implications of the IA for the soundness of the plan are considered under other Matters.]

4. The Consortium's response to Matter 3 (and below) addresses the soundness of the Councils' choosing to plan which is simply designed to meet the transitional arrangements of NPPF and enable the three Councils to under-plan against an artificially constrained requirement for 5 years following the plan's adoption. The overall requirement figure arises solely from the artificial uplift to the housing requirement of 77dpa above its flawed evidence economic-led base. Picking a figure just to benefit from the transitional arrangements within paragraph 234 and 235 amounts to gaming the system and not addressing the requirements of the test of soundness which requires a plan to be 'justified' and 'evidence based'.
5. We do not consider that the resultant revised housing requirement (1,314dpa) has been properly assessed by the IA. Chapter 4 of the IA assesses 3 development quantum / distribution options summarised below. The quantum of development proposed by the uplifted requirement exceeds any of the three options assessed by an arbitrary amount just to hit a policy objective and therefore it has not properly assessed reasonable alternatives, including the development quantum and spatial distribution options for the Plan.

- **Option 1: LHN Baseline – 944 dwellings per annum**
 - Chorley = 54%
 - Preston = 29%
 - South Ribble = 18%
- **Option 2: POPGROUP 5-Year (10yr International Migration) – 1,212 dwellings per annum**
 - Chorley = 27%
 - Preston = 54%
 - South Ribble = 19%
- **Option 3: Employment-Led Projection (2011 Commuting Ratio / 1:1 commuting for new jobs) – 1,237 to 1,275 dwellings per annum**
 - Chorley = 33-38%
 - Preston = 30-36%
 - South Ribble = 31-33%

6. Paragraph 4.7 of the IA responds to the uplift in the housing requirement post NPPF2024. It states that:

*“The Councils considered that a range of indicators continued to comprehensively support the conclusion that housing need within Central Lancashire exceeds the result of the Government’s Standard Method (preDecember 2024) and intended to take forward Option 3. Following publication of the updated NPPF in December 2024, the annual housing requirement for Central Lancashire has been increased slightly to 1,314 dwellings per annum **in order to achieve 80% of the local housing need using the new standard method formula**, in accordance with the transitional arrangements.”* (emphasis added)

7. The above explanation seeks to retrospectively apply the IA conclusions on in assessing Option 3 for the housing requirement to an entirely new uplifted requirement (on the basis the uplift is claimed to be ‘slight’ and both Option 3 and the revised uplift exceed the pre-NPPF2024 Standard Method). No further assessment of the uplift is undertaken in terms of its assessment of the likely effects of the plan’s policies and allocations (including actually meeting each authority’s needs) or indeed any explanation of why that was then selected as the preferred strategy. Indeed, it appears to have been taken as a given that it was preferable / more sustainable to artificially uplift the housing requirement to meet the transitional arrangements than it would have been to actually meet the authorities new housing requirement.
8. We emphatically do not agree with the soundness or rationality of the above approach. The uplift in housing requirements has been taken as a fait accompli by the IA rather than its impact having meaningfully been assessed. We do not agree that the uplift is “slight”, indeed the increase in the housing requirement of 77 dwellings per annum is actually greater than the increase from Option 2 to Option 3 set out above. The significance of the change, in terms of its impact on the SA, can

only properly be understood by undertaking a proper assessment within an SA. No such assessment has been done. There is a serious flaw with the approach taken by the Councils therefore.

Q1.5 Is the Habitats Regulations Assessment adequate and does the Plan include all the recommendations identified in the assessment as necessary to ensure compliance with the Habitats Regulations? Is it robust and convincing in its conclusion that the Plan will have no significant effects on the integrity of any European sites? In particular, how will cumulative effects be addressed on a site by site basis?

9. No comment.

Q1.6 Does the Plan include policies to address the strategic priorities for the development and use of land in Central Lancashire? How are these identified in the Plan?

10. No comment.

Q1.7 Does the Plan include policies designed to ensure that the development and use of land in Lancashire contributes to the mitigation of, and adaptation to, climate change?

11. No comment.

Q1.8 How have issues of equality been addressed in the Local Plan?

12. No comment.

Q1.9 Does the Plan comply with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations?

13. Pinsent Masons have advised the Consortium on points of legal compliance and raise 5 key issues set out below. To gain better understanding of these issues a formal request for information was submitted under the Environmental Information Regulations on 24th July 2025 and a copy of this is attached to this statement as **Appendix 1**.

14. A formal response was received on 20th August in which the following documents were disclosed:

- A link to the published minutes of the [Central Lancashire Strategic Planning Joint Advisory Committee on Monday, 9th June 2025](#).
- A link to the recording of the meeting on Chorley Council's Youtube page [Central Lancashire Strategic Planning Joint Advisory Committee - 9 June 2025 - YouTube](#)

- A PDF copy of:
 - The slide presentation by Zoe Whiteside on the Outcome of the Regulation 19 Consultation (Agenda item 8).
 - The slide presentation by Zoe Whiteside on the Regulation 22 Submission (Agenda item 11).

15. All three Councils confirmed that "*No further material, including transcripts, exist.*"
16. A copy of the responses and the PDF presentation is attached to this Statement as **Appendix 2**
17. A further request for information was submitted on 6 November and is attached to this Statement as **Appendix 3** and a response is due by 4 December. This statement should be read as subject to any further information which that request may disclose.
18. The remainder of this Statement summarises our concerns in relation to four specific issues:

Issue 1 Unlawful reliance on Schedule 12A of the Local Government Act 1972

19. There is concern that this Schedule was improperly relied on to prevent the public from having access to a presentation on the submission of the Central Lancashire Local Plan and from the associated debate.
20. The decision to exclude the public was taken in reliance on Paragraph 3 of Part 1 of Schedule 12A (Information relating to the financial or business affairs of any particular person(including the authority holding that information)).
21. We have concerns (set out in detail in **Appendix 3**) about:
 22. Why the power was relied on at all; and
 23. The lack of compliance with safeguards on the use of that power in the constitution of each of the individual councils.

Issue 2 Contravention of S100D of the Local Government Act 1972

24. Section 100D of the Local Government Act 1972 requires that the "background papers" for a report or part of a report for a meeting of a principal council are to be made available for inspection.
25. Section 100D(5) defines background papers as: "...those documents relating to the subject matter of the report which—(a) disclose any facts or matters on which, in the opinion of the proper officer, the report or an important part of the report is based, and (b) have, in his opinion, been relied on to a material extent in preparing the report, but do not include any published works."

26. This is not a minor procedural requirement. In the landmark *Finch* case the Supreme Court has recently stressed the importance of the principle of access to information in environmental decision-making¹ and two planning permissions have been quashed recently due to non-compliance with this requirement². Moreover, the constitutions of Chorley, South Ribble and Preston Councils all assert that reports to the public will include a list of background papers.
27. We have submitted a formal request for disclosure of various documents referred to in Agenda Items 8 and 11 and referred to in the draft minutes of the meeting of 9th June but even if these documents are fully disclosed the procedural defect remains.

Issue 3 Status of the Joint Committee

28. We are concerned that the status of the Joint Committee, and the Local Plan itself are not clear. These concerns are detailed in our further request for disclosure of information attached as **Appendix 3** but can be summarised as follows:
29. The Plan website is hosted by Lancashire County Council ([Joint Advisory Committee - Central Lancashire Local Plan](#)) and this sets out the functions of the Central Lancashire Joint Advisory Committee ("the Committee").
30. The Chorley and South Ribble constitutions refer to the Plan as a "joint arrangement"
31. The Preston constitution refers to it as a "joint committee".
32. It is difficult to understand precisely what the status of the Joint Committee is, and what the scope of its powers are. **Appendix 3** sets out these concerns in detail and requests further information on the origins, status and the scope of the powers of the Committee

Issue 4 Delegation of powers

33. Section 101 of the Local Government act allows a local authority to discharge its functions to a committee, a sub-committee or an officer of the authority; or to another local authority and for committees to discharge their functions to sub-committees or officers. A decision purportedly made by an officer in the absence of a formal delegation to the officer is ultra vires.
34. The PDF presentation attached as part of **Appendix 2** records (pages 2,3,4) powers delegated to officers of Chorley, South Ribble and Preston. In each case the powers delegated were to approve

¹ [R \(on the application of Finch on behalf of the Weald Action Group\) \(Appellant\) v Surrey County Council and others \(Respondents\)](#) (152)

² [Wild Justice, R \(On the Application Of\) v Pembrokeshire Coast National Park Authority \[2025\] EWHC 2249 \(Admin\) \(05 September 2025\)](#) and [Holborn Studios Ltd, R \(on the application of\) v London Borough of Hackney & Anor \[2020\] EWHC 1509 \(Admin\) \(11 June 2020\)](#)

“minor” or “minor non-material” changes to the plan. The date of the delegations is not given, and we have asked for details in each case.

35. It seems as though the scope of the officers’ powers did not extend to any substantive amendments, and this is supported by page 20 of the presentation which states that only “minor amendments” were intended to be identified in response to the representations listed on pages 10-18 of the presentation.
36. We have asked for confirmation of the origins of the delegations, and who had responsibility to approve non-minor or material modifications. In relation to South Ribble Borough Council we have also queried why powers were delegated to the Cabinet member for Economic growth when there was already a delegation in place to another the Cabinet member for planning matters.
37. However, the core defect which is a conscious and explicit limitation of officers’ discretionary scope to prevent any material changes being made in response to representations received, remains.

Issue 5 Paragraph 4.19 of the Local Plan

38. **Appendix 2** details the change in the Local Plan’s approach to housing need between December 2024 and the submission version (June 2025). We set out elsewhere within this Matter Statement that the change in approach has not been supported by any evidence, nor has the change then been properly assessed within the IA. In addition to the above, we are concerned that this change in approach has not been provided with any record of how the decision to edit the requirement (and the decision to process with an unevidenced change to the plan) was made, nor has any public consultation or record been made for such a fundamental change in the approach of the plan. This issue is exacerbated then by our earlier comments regarding the lack of transparency in the Council’s decision to move forward with the plan as a whole. We have requested a copy of any advice sought and decisions made, that relate to it.

Q1.10 Does the Policies Map (CD02) correctly illustrate geographically the application of policies of the Plan?

39. No comment.

Matter 1b - Overarching Matters

Q1.11 Is the Plan period (2023 - 2041) justified, effective and consistent with national policy which requires strategic policies to look at least 15 years ahead from adoption? Should the requirements/timescales for review of the Plan be set out in policy?

40. The Government is clear at paragraph 22 of the NPPF that strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities. Where larger-scale developments are planned for, such as new settlements or significant extensions to existing settlements, policies should be set within a long-term vision which looks forward over a 30-year period to take into account the likely timescale for delivery.
41. The Central Lancashire Local Plan is anticipated to be adopted in 2026 (likely to be the Plan year 2026/27) and currently seeks to plan to 2041. Accordingly, if adopted in 2026 (Plan period 2026/27) for the Plan to meet the minimum timeframe defined at paragraph 22 it should plan to 2041/42; an additional year to the currently proposed plan period.
42. Nevertheless, as a regional plan with strategic allocations, the three Lancashire authorities should endeavour to do more than the absolute minimum so as to enable the plan to respond meaningfully to long-term requirements and opportunities, such as those arising from major infrastructure developments. This is the antithesis of positive evidence based planning.
43. The Local Plan contains strategic site allocations SS3, SS5, and SS6 which comprise significant extensions to existing settlements. The Local Plan is also clear that the delivery of these sites will extend beyond the plan period. For example, at Policy SS5: Strategic Site Allocation – Preston West, 1,400 dwellings are anticipated to come forward beyond 2041, with an infrastructure delivery schedule linked to the phases of development required.
44. Accordingly, it is not considered that the Central Lancashire Local Plan has been prepared consistent with national policy. As a regional plan with strategic allocations, a longer plan period would provide greater certainty on when strategic sites are going to come forward, which will contribute to ensuring that the region has sufficient housing land to deliver its housing need over the long-term. It appears to have been driven by political expediency of avoiding green belt release and minimising housing delivery in the five years post-adoption of the plan.

Q1.12 What are the implications of the transitional arrangements set out in paras 234 and 235 of the NPPF (Dec 2024) for the examination of the Plan?

45. The Central Lancashire authorities have sought to benefit from the transitional arrangements set out at paragraph 234 and 235 of the NPPF2024. The Government states at paragraph 234 that for purposes of preparing local plans, the policies of the 2024 version of the NPPF will apply where the plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need. Footnote 83 clarifies that 'local housing need' is calculated using the standard method published in December 2024.
46. The Regulation 19 version of the Local Plan was published for consultation on the 24th of February

2025. Draft Policy HS1 states that the housing requirement for Central Lancashire is for 23,652 homes to be delivered in the Local Plan period between 2023 and 2041, an annual average of 1,314 homes. In the justification text of draft Policy HS1, the Central Lancashire authorities describe how the:

'... annual housing requirement for Central Lancashire has been increased slightly to 1,314 dwellings per annum in order to achieve 80% of the LHN using the new standard method formula, in accordance with the transitional arrangements. The additional 77 dwellings per annum has been distributed between the three authorities.'

47. On the face of it, draft housing requirement within the Local Plan does meet at least 80% of the local housing needs for the three authorities and, therefore, the transitional arrangements as set out at paragraph 234 of the NPPF would apply. Accordingly, the result would be that, as per paragraph 235 of the NPPF, the Plan should be assessed under the NPPF2023. However, we have a number of concerns on this matter.
48. Firstly, it is clear that the Plan does not meet the transitional arrangements in a manner envisaged by the Government or even the spirit of the transitional arrangements.
49. The purpose of the transitional arrangements was to enable plans which were substantially progressed (including preparation of their evidence base) and which met most (80%) of the emerging requirement to be able to proceed to examination (and eventually adoption) and enable them to adopt a plan which was 'nearly there' in terms of both preparation and housing requirements to proceed.
50. It cannot have been the intention of the Government that Local Plans which were not 'nearly there' in terms of the minimum requirements for emerging plans to simply 'turn up' their housing requirement a little bit in order to meet the minimum standard to benefit from the transitional arrangements. Particularly where that adjustment was not supported by the evidence base which had been prepared to inform the Local Plan, as is the case here.
51. As set out in our Representation to the Regulation 19 consultation, and Matter 3 Hearing Statement, we are firmly of the view that the Central Lancashire authorities have simply artificially increased their housing requirement by a wholly arbitrary 77 dwellings per annum to meet the transitional threshold. It is apparent that the Central Lancashire authorities were not planning for 80% of local housing need.
52. Moreover, the 77 dwellings per annum uplift is not evidenced in any way but is explicitly just designed to reach 80% of current standard method need, it follows that it cannot be considered a sound approach to identified housing need. Please refer to our Matter 3 Hearing Statement.

Furthermore, as set out above, nor has the uplifted housing requirement been assessed by the IA.

53. With regard to the above, we would ask the Inspectors to consider whether the transitional arrangements do in fact apply to the Plan. If so then the plan is being assessed under the wrong version of NPPF and the plan, if adopted would be vulnerable to challenge under s.113 of the 2004 Act.
54. Secondly, as we have set out above, there is some doubt as to whether the Local Plan can be progressed as a "joint local plan" on the basis that the status of the Joint Committee, and the Local Plan itself are not clear.
55. The relevance here is that, in the event that the Local Plan is a Joint Local Plan, the transitional arrangements would be applicable to it (i.e. the plan as a whole could meet 80% of the aggregated housing requirement and benefit from the provisions of paragraph 234/235 and footnote 42 of the NPPF 2024).
56. However, if the 3 Central Lancashire authorities are promoting their 3 plans in parallel (which must be the case if this is not a 'joint plan') then NPPF, nor the transitional arrangements within it, do not allow for a redistribution of housing requirements between districts and an aggregated assessment of the 80% of the LHN. In such circumstances paragraph 234(a) relates to the LPA's own LHN within its own district and not a shared position.
57. With Chorley only set to deliver 60% of its housing need within the Local Plan, as defined by the Standard Method, it would not benefit from the transitional arrangements, and its plan would be required to be examined under the more recent version of NPPF. It is noted that the other two districts would exceed the 80% figure.
58. In the event that the Inspectors consider that the transitional arrangements within paragraph 234 and 235 do apply to the Central Lancashire Local Plan, then the implication is that the plan should be examined against the December 2023 NPPF.
59. Our representations regarding the appropriateness of the housing requirement, when assessed against the 2023 NPPF, are set out in relation to Matter 3. However, it bears repeating that we do not consider the approach taken to calculating the housing requirement, specifically the artificial increase of the requirement to benefit from transitional arrangements, to be compatible with the provisions of the 2023 NPPF.
60. Indeed, paragraph 61 of the 2023 NPPF sets out that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. It states:

*"The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). **There may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals.**"* Our emphasis

61. Paragraph 67 states:

*"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. **The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment.** Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations"*

62. In essence, the 2023 NPPF sets out that the standard method is the starting point for the housing requirement and that 'exceptional circumstances' may exist to depart from that figure; including an increase. Those increases may relate to the need to meet certain demographic, economic or market factors. Furthermore, any increase in the requirement should reflect those specific circumstances.

63. It is clear that an artificial increase which does not, in any way, reflect a demographic, economic or market factor does not fall into the exceptional circumstances for departing from the standard method. We do not consider that the adjustment is positively prepared, justified or compliant with the NPPF; and therefore, is manifestly unsound.

Q1.13 How have made and emerging Neighbourhood Plans been taken into account and where is this evident?

64. The Our Clients have no comment to make in relation to this question.

Word Count 3,257 words

Appendix 1 – 24 July 2025 EIR letter



Pinsent Masons

BY E-MAIL

Ben Storey, Democratic & Member Services
Officer Email: [REDACTED]
Ben Storey, Democratic & Members Services Officer
[REDACTED]
Lizzie Bilsborrow, Member Services Officer
[REDACTED]
Josh Mynott, Democratic and Member Services
Manager
[REDACTED]

Your Ref
Our Ref: 157511079.11700183.07005

DDI +442074909685

E [REDACTED]

24 July 2025

Dear Mr Storey, Mr Mynott and Ms Bilsborrow

SUBMISSION OF CENTRAL LANCASHIRE LOCAL PLAN – JOINT ADVISORY COMMITTEE

We are instructed by Story Homes, Persimmon Homes, Taylor Wimpey and Northern Trust in connection with the emerging Local Plan. We previously issued a legal note on 14 April 2024 in response to the Regulation 19 Consultation in relation to Legal Compliance Issues.

According to this the webpage for the [Joint Advisory Committee - Central Lancashire Local Plan](#) the Central Lancashire Strategic Planning Joint Advisory Committee (JAC) is made-up of members from Chorley, Preston and South Ribble Councils. Lancashire County Council is also listed on the page with the other participants, but its status is not clear.

On 9th June there was a meeting of the JAC recorded on the Chorley, Preston and South Ribble websites.

- [Central Lancashire Strategic Planning Joint Advisory Committee on Monday, 9th June 2025, 6.30 pm | Chorley](#)
- [Agenda for Central Lancashire Strategic Planning Joint Advisory Committee on Monday, 9th June, 2025, 6.30 pm - Preston City Council](#)
- [Agenda for Central Lancashire Strategic Planning Joint Advisory Committee on Monday, 9th June, 2025, 6.30 pm | South Ribble](#)

There is no apparent record on the Lancashire County Council website. In each case there appears to have been a presentation on the outcome of the Regulation 19 consultation but the only document available is a briefing on the Planning and Infrastructure Bill. In addition, in each case it appears that the public were excluded from a “Regulation 22 Submission” item, relying on Schedule 12A of the Local Government Act 1972.

Since the date of that meeting the Head of Planning at Chorley Council [posted on LinkedIn](#) as follows: “Proud to say the Central Lancs Local Plan Team submitted our new Local Plan for Chorley , Preston & South Ribble to PINS (website & mailing list updates to follow shortly)”.

Pinsent Masons LLP

30 Crown Place Earl Street London EC2A 4ES

T +44 (0) 20 7418 7000 F +44 (0) 20 7418 7050 DX 157620 Broadgate

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It is extremely concerning that the content of such an important submission appears to have been agreed without any public participation or written record.

There are a number of different legal principles and requirements that promote or require openness and transparency in relation to environmental information.

- Article 9(3) of the Aarhus Convention (Directive 2003/4/EC) requires all officials and authorities to “assist and provide guidance to the public in seeking access to information, in facilitating participation in decision-making and in seeking access to justice in environmental matters”
- This Convention is integrated into English law through the Environmental Information Regulations 2004/3391 (“the EIR”).
 - Regulation 2 defines “Environmental information” as including “*any information in written, visual, aural, electronic or any other material form*” on...*(c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements,...**(d) reports on the implementation of environmental legislation*”.
 - Regulation 5 requires environmental information to be supplied on requires
 - Regulation 12 imposes a presumption in favour of disclosing information.
- Section 100D of the Local Government Act 1972 requires that anything relied on as a “background paper” for the purpose of preparing a report to be listed in the report and be “open to inspection” by the public. This section has been relied on to challenge a lack of information on viability ([Holborn Studios Ltd, v London Borough of Hackney & Anor \[2020\]](#)) and land interests ([Save Warsash and the Western Wards, v Fareham Borough Council \[2021\]](#))

Although Schedule 12A to the 1972 Act has been relied on as the reason for non-disclosure of information in [Stride, R \(On the Application Of\) v Wiltshire Council \[2022\]](#), the judge ruled that the purpose of Schedule 12A was to avoid prejudice by the disclosure of information relating to the financial or business affairs of any person including the authority. No further details are available on the website, but it is difficult to see why any information relating to the content of a submission for a development plan document would have anything connection with the Council’s financial or business affairs.

Please can you therefore disclose the contents of the agenda items that were considered on 9th June together with any presentation material shared during the meeting (any electronic presentations and copies of any reports shared) and the recorded written meeting minutes or a transcript of any recording (if that exists). If this is not possible, then:

- please explain what commercial or business interests are seen as being prejudiced by the disclosure of Regulation 22 materials; and
- please also treat this letter as a formal request under EIR for disclosure of the contents of the discussion.

We look forward to hearing from you.

Yours faithfully

Pinsent Masons LLP

This letter is sent electronically and so is unsigned

Appendix 2 – Email responses from local authorities

Preston's Planning Approach to Houses of Multiple Occupation

Overview of proposed changes to planning measure controlling the increase of HMO's in Preston

HMOs and existing controls

What is a HMO?

HMOs fall into two Use Classes

Up to six residents
that one households
(Class C4)

More than six
residents (*Sui
Generis*)

Permitted development rights

Permitted development rights allow the change of use of a dwellinghouse (Class C3) to a house in multiple occupation (Class C4) without the need for planning permission from the local planning authority.

Permitted development rights can be removed by the local planning authority, either by means of a condition on a planning permission, or by means of an article 4 direction.



What **can** the Article 4 Direction HMO do?

The Article 4 Direction HMO:

- **Removes** the permitted development right to convert a dwelling (use class C3) into a small HMO (use class C4)

This means that:

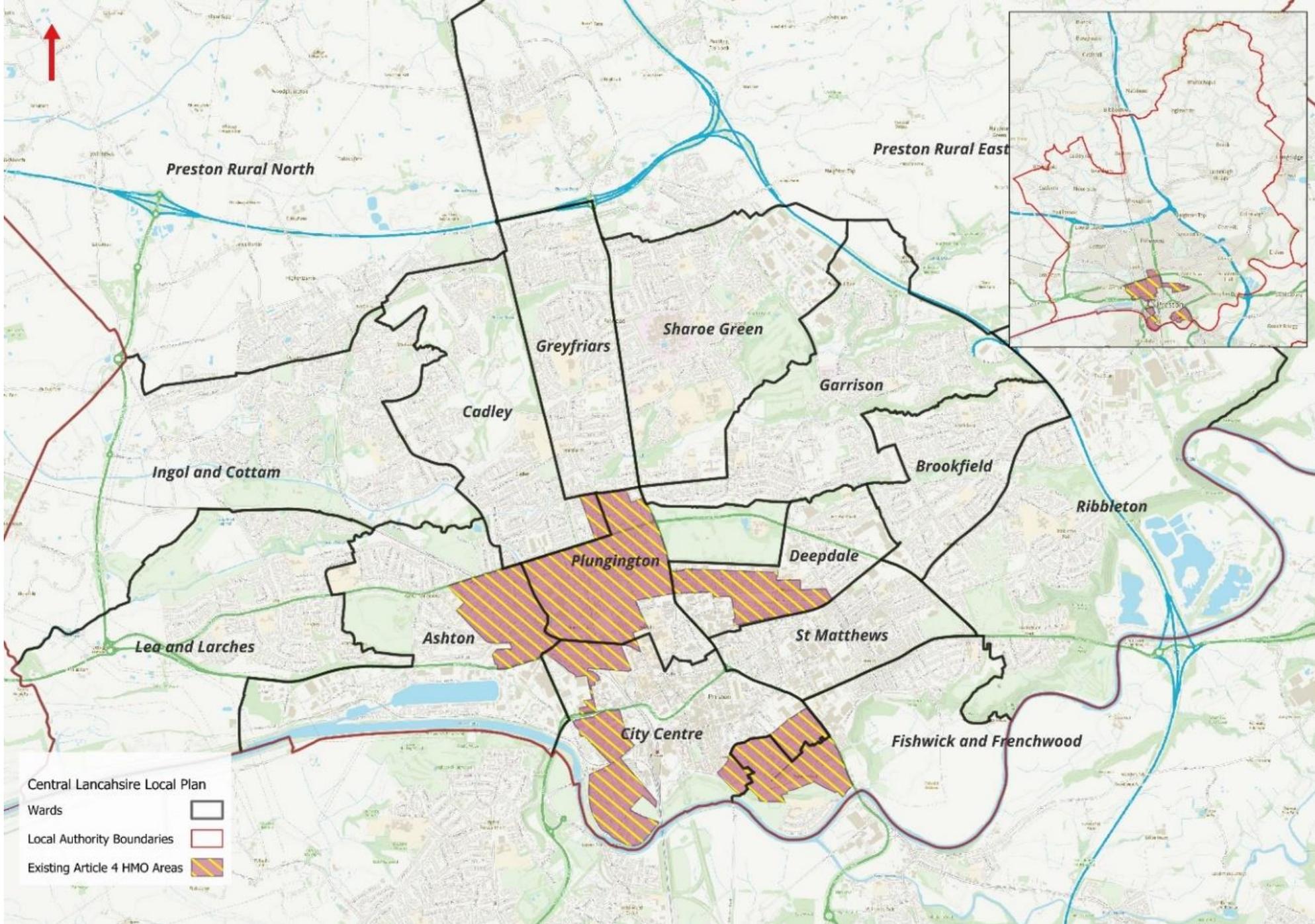
- Planning permission will be needed to convert a dwelling (C3) into an HMO (C4).



What **can't** the Article 4 Direction HMO do?

The Article 4 Direction HMO:

- **Does not** outright refuse planning permission for a proposed conversion;
- **Does not** remove existing planning permission **or** stop existing HMOs from operating;
- **Does not** remove any other permitted development rights.



Review of Existing Article 4 and HMOs in Preston



The HMO Review

Why did we do a review?

- Significant concerns raised by Members and residents of the number of HMOs.
- Assess if the current planning approach is fit for purpose.

Key findings

- Significant number of HMOs present throughout Preston's urban area.
- Existing Article 4 Directions (HMO) and Planning Policy Approach to HMOs is not adequate to control increasing number.
- Stronger policy on controlling numbers in the urban area along with an expanded Article 4 Direction removing PD rights is required

Central Lancashire Local Plan

Article 4 Direction:

Houses in Multiple Occupation (HMOs)

Evidence Document

February 2025

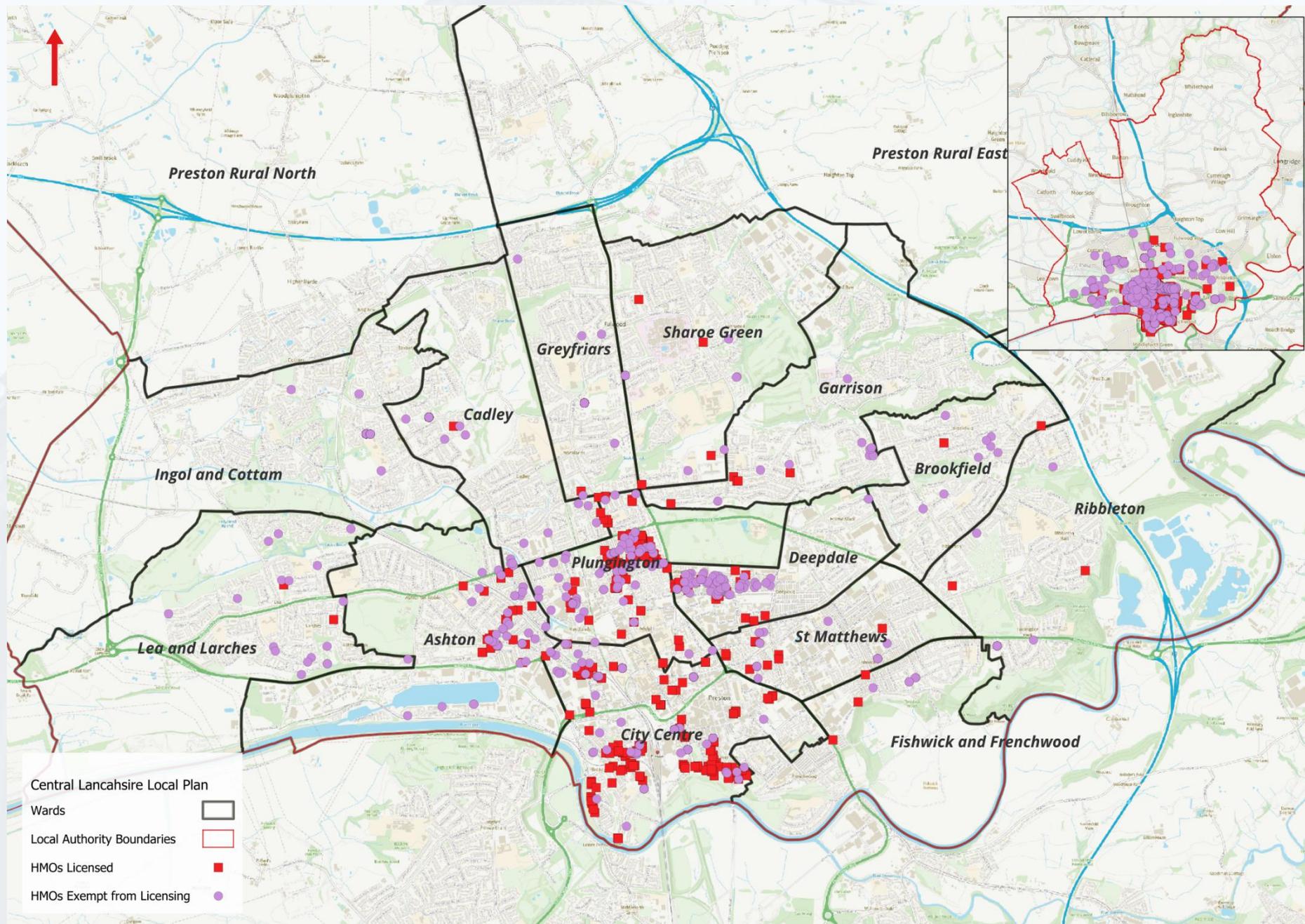
Removal of permitted development rights for the change of use from Use Class C3 (dwelling-houses) to Use Class C4 (House in Multiple Occupation)

Number of Approvals and Refusals

The table below shows the number of approvals and refusals since the introduction of the Article 4 Direction (HMO) in 2012.

	Number of Bedrooms			
	Up to 6 (Use Class C4)	7 to 10	11 to 20	21+
Approvals	77	2	2	0
Refusals	1	0	0	1

Distribution of Existing HMOs



Number of Identified HMOs

A licenced HMO refers to a house that meets the mandatory licencing criteria, these are required by properties that are occupied by five or more people.

The Council are required to publish details of mandatory licenced HMOs in the Preston district (Mandatory Licenced HMOs Register).

If an HMO **does not meet** the criteria required for a licence, it is referred to as licenced exempt HMO.

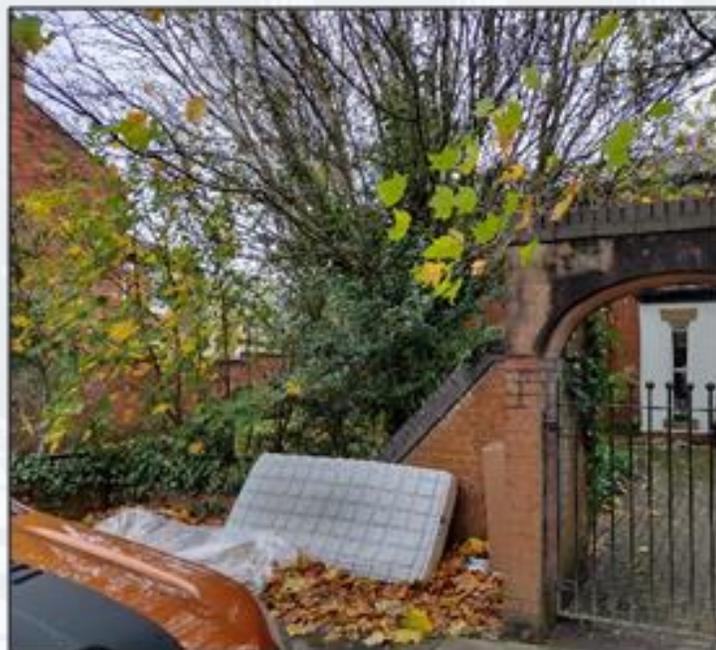
Most impacted wards:

- **City Centre - 311**
- **Plungington - 157**
- **Deepdale - 87**

Ward	Licenced No.	Exempt No.	Total No.
Ashton	21	38	59
Brookfield	2	8	10
Cadley	3	73	76
City Centre	157	156	311
Deepdale	20	67	87
Fishwick and Frenchwood	3	6	9
Garrison	5	9	14
Greyfriars	1	68	69
Ingol and Cottam	0	44	44
Lea and Larches	2	18	20
Plungington	79	78	157
Preston Rural East	0	0	0
Preston Rural North	0	0	0
Ribbleton	2	16	18
Sharoe Green	4	10	14
St Matthews	9	20	29
Total	306	611	917

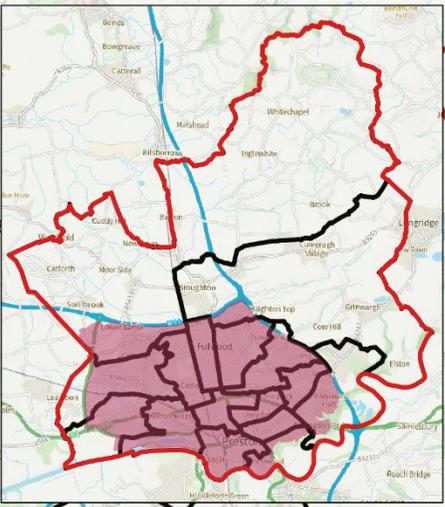
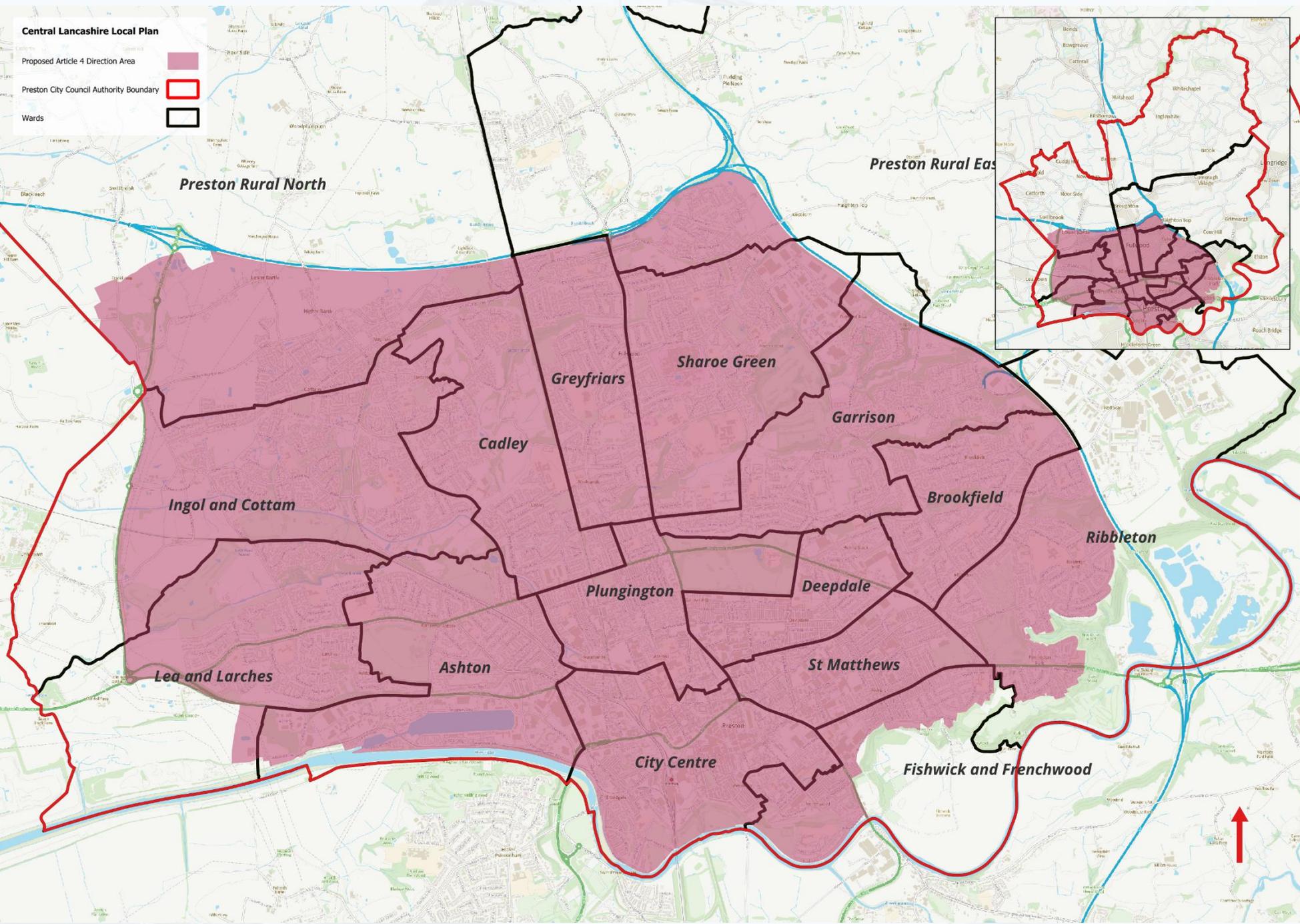
Know Issues of High Numbers of HMOs

- Increase in Anti-Social Behaviour
- Intensification of residential properties
- Poor quality accommodation
- Reduction in family housing within inner urban areas
- On-street car parking
- Increase in number of bins
- Detrimental impacts on Street scene and cleanliness



Proposed Planning Controls

New Article 4 Direction (HMO) Area



Central Lancashire Local Plan

Proposed Article 4 Direction Area

Preston City Council Authority Boundary

Wards



Article 4 Direction without Immediate Effect

- There are two types of Article 4 Directions, immediate and non-immediate, the procedures for which are set out in Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015
- Non-immediate Article 4 Directions do not take effect until following local consultation and subsequent confirmation by the Local Planning Authority.
- Compensation is payable in certain circumstances following the making of an Article 4 Direction
- To avoid compensation payments a Local Planning Authority can confirm and publish its intention to make the Direction at least 12 months, and not more than 2 years, ahead of the Article 4 taking effect. This is the route PCC have taken when bringing into effect the existing Article 4.
- The 'non-immediate' Article 4 Direction removes permitted development rights for the change of use from Use Class C3 (dwellinghouses) to C4 (Houses of Multiple Occupation (HMO)) within the urban area.
- The Direction does not apply retrospectively, so any development undertaken before it comes into force is not affected.

New Local Plan Policy

Policy HS10: Houses in Multiple Occupation (HMOs)

1. Outside of the 'Preston Houses in Multiple Occupancy (HMO) Article 4 Direction area' (which removes permitted development rights allowing conversion of dwellings to HMOs), proposals to convert properties into HMO's will be supported, subject to compliance with Policy EN4: Amenity and subject to the following criteria;

- a) the property is suitable for conversion without substantial extension;
- b) the proposal would not 'sandwich' a dwelling between two HMO's or create a block of three or more adjoining HMO's.
- c) the development would provide appropriate facilities for the storage and screening of refuse;
- d) the proposal would provide adequate levels of car parking reflective of the site's location, number of residents and local highway conditions; and
- e) the proposal would enable active travel, through on-site covered cycle storage for use by occupiers.

2. Within Preston's Article 4 Direction area, proposals to convert properties into HMO's or expand existing HMO's will not be permitted.

Consultations

The Article 4 Direction (HMO) consultation was held in line with the Regulation 19 Representation Period

Mon 24 February 2025 (2pm) to Mon 14th April 2025 (midnight)

Article 4 review

Consultation on the Review of the HMO and its recommendations for an expanded Article 4 Direction area

Local Plan

- Regulation 19 Publication Draft
- Seeking representations of the soundness and legal compliance of the plan

Methods of Consultation and Publicity

Methods used for both the Article 4 Direction consultation and Regulation 19 Representation Period:

- **On deposit** – The Council made physical copies of all material relevant to the consultation (inclusive of the Article 4 HMO Evidence Document and Map) available to view at the Town Hall during normal business hours.
- **Council Webpage** – The Council made digital copies of all material relevant to the consultation (inclusive of the Article 4 HMO Evidence Document and Map) available to view on the Article 4 Direction webpage at: [Article 4 Directions - Preston City Council](#)
- **Social Media** – The Council’s social media accounts were used to promote the consultation and released reminders of the consultation in-person events.
- **Article** – The Council released an article on the Council News webpage on 26 February as found at: [Review of Article 4 Direction and Planning Approach to Houses in Multiple Occupancy - Preston City Council](#)
- **Email Notifications** – Emails notifying statutory consultees, general and public consultees (including the Local Plan consultation database) and all Councillors were sent out at the start of the consultation period.
- **In-person Consultation Events** – A total of five in-person drop-In events were held over the 7-week period of consultation which were held in-conjunction with the CLLP Regulation 19 consultation

Outcome of the Article 4 Consultation

Level of Response

- 24 unique representations
- 79% support, 4% objected and 17% neither supported or objected

Key themes

- **Support** – HMOs result in high crime, parking and bin issues, decrease in house prices in the area and the loss of communities
- **Objection** – compared to other cities, Preston does not have a major HMO issue. Newer HMOs are well designed and maintained.
- **Neither Supported Nor Objected** – does the council have the capacity to deal with an increase in planning applications? Will the article impact upon the freedom of residents?

Process for Implementation: Article 4 Direction

- Decision to be made by Preston council to decide to make the new non-immediate Article 4 Direction - Summer 2025
- If approved, consultation to be undertaken stating intention to bring this change in on a specific date in 2026
- Article 4 then confirmed to be brought in – expect to be in line with the adoption date of Central Lancashire Local Plan in 2026. This will align the two processes.

Useful links

[Review of Article 4 Direction and Planning Approach to Houses in Multiple Occupancy - Preston City Council](#)

Contact

planningpolicy@preston.gov.uk

Questions



Agenda Item 8
Central Lancashire Local Plan
2023-2041 Regulation 19
Publication Version
Consultation Outcomes

Presentation by

Zoe Whiteside

Date

09/06/2025

What We Will Cover

Outcome of the Regulation 19 Consultation

Details of volume of responses

Breakdown of responses by policy/theme

Quick Recap on the consultation of the new Local Plan

- ▶ We are required to publish our Regulation 19 Publication version of the Local Plan prior to us thereafter submitting for examination
- ▶ We must make it available to prescribed bodies and to others as set out in our SCIs
- ▶ Invited representations from 1910 subscribers to our mailing lists (1567 CLLP /CBC 343)
- ▶ The consultation ran from Monday 24th February to Monday 14th April 2025
- ▶ We used an online digital survey with hard copies of all materials available in libraries and post offices
- ▶ We ran local drop in events and promoted the consultation on social media

Delegated Authority Permission Chorley

- ▶ To grant delegated approval to the Director of Planning and Property in consultation with the Executive Member (Economic Development and Public Service Reform) following the completion of the consultation period , to submit the Central Lancashire Local Plan 2023-2041 Publication Version to the Secretary of State (together with any necessary minor modifications or that are required to ensure legal compliance ‘soundness) in accordance with Regulation 22 (The Town and Country Planning (Local Planning)(England) Regulations 2021) for independent examination.
- ▶ To grant delegated approval to the Director of Planning and Property in consultation with the Executive Member (Economic Development and Public Service Reform)to request that the Local Plan Inspector recommends any main modifications to the submission versions of the plan (if necessary) in order for the plan to be legally compliant .

Delegated Authority Permission

South Ribble

- ▶ Delegated approval is given to the Director of Planning and Property, in consultation with the Cabinet Member for Economic Growth, Planning and Investment, following completion of the consultation period, to submit the Central Lancashire Local Plan 2023-2041 Publication Version to the Version to the Secretary of State (together with any necessary minor modifications or that are required to ensure legal compliance 'soundness') in accordance with Regulation 22 (The Town and Country Planning (Local Planning)(England) Regulations 2021) for independent examination.
- ▶ Council agree that delegated approval is given to the Director of Planning and Property in consultation with Cabinet Member for Economic Growth, Planning and Investment to request that the Local Plan Inspector recommends any main modifications to the submission versions of the plan to be legally compliant and found sound in accordance with Section 20(7c)etc

Delegated Authority Permission Preston

(ii) Delegated authority to the Director of Development and Housing to make any minor non-material amendments for such purposes as correcting typographical errors, clarification in the Central Lancashire Local Plan Policies Map (Publication version) (Appendices ten to thirty-three), the Integrated Appraisal (Appendix two) and supporting documents (Appendix nine)

(iii) Delegated authority to the Director of Development and Housing, on completion of the consultation stage, to submit the Central Lancashire Local Plan 2023-2041 (Publication Version) the Central Lancashire Local Plan Policies Map (Publication Version) together with the prescribed documents and accompanying supporting documents to the Secretary of State

(iv) Delegated authority to the Director of Development and Housing to request that the Local Plan Inspector recommends any modifications to the submission version of the plan ..

Consultation events Chorley

Date	Time	Venue	Number of Attendees
24th February	4 p.m. – 7 p.m.	Euxton Library, St Mary's Gate, Euxton, PR7 6AH	3
27th February		Eccleston Library, The Carrington Centre, The Green, Chorley, PR7 5TE	5
5 th March		Tatton Community Centre, Windermere Road, Chorley, PR6 0FJ	8
6th March		Abbey Village Primary School, Bolton Road, Abbey Village, PR6 8DD	6
10 th March		Clayton Brook Community Centre - AKA Village Hall Clayton-Le-Woods, PR5 8HL	8
12 th March		Adlington Community Centre	31
1 st April		Coppull Library, Spendmore Lane, Coppull, PR7 5DF	14
3 rd April		Town Hall, Market Street, Chorley, PR7 1DP	7

Consultation events Preston

Date	Time	Venue	Number of Attendees
12/02/2025	12:30-14:00	Sahara Project - Women Only Event (AM)	50+
24/02/2025	15:30-19:00	Preston Town Hall, Meeting Room A - Ethnic Minority Event (PM)	8
25/02/2025	16:30-19:00	Quwwat Education Centre	30+
26/02/2025	11:00-14:00	Preston Markets, Stall M3	23
05/03/2025	15:00-18:00	UCLan Cottam, 1st Floor Central Reception Meeting Room	15
06/03/2025	15:30-19:00	Grimsargh Village Hall	3
13/03/2025	15:30-19:00	Preston Town Hall, Meeting Room B	11
20/03/2025	15:30-19:00	Fulwood Free Methodist Church	6

Consultation events South Ribble

Date	Time	Venue	Number of Attendees
27 th February	Set up from 3.30-7 p.m.	Longton Library, Liverpool Old Road, Longton, Preston, PR45HA	44
4 th March	Set up from 3.30 p.m., depart by 6.50 p.m.	Kingsfold Library, Hawkesbury Drive, Penwortham, PR19EJ	14
12 th March	Set up from 3.30 p.m., depart by 6.50 p.m.	Lostock Hall Library, Watkin Lane, PR55TU	25
17 th March	4 p.m.-7 p.m.	Leyland Civic Centre	36
25 th March	Set up from 3.30 p.m.-6.45 p.m.	Bamber Bridge, St Aidans Church Hall	31

Representations Received

Responses by Type	Number
Representations via Citizenspace	117
Representations via email	520
Representations via post	6
Total representations	648

Representations received from Prescribed Bodies

Prescribed Bodies	Received Representations
The Environment Agency	Yes
The Historic Buildings and Monuments Commission for England (known as English Heritage) (now Historic England)	Yes
Natural England	Yes
Mayor of London	No
The Civil Aviation Authority	No
The Homes and Communities Agency (now Homes England)	Yes
Each Primary Care Trust Established under section 18 NHS Act (Lancashire & South Cumbria Integrated Care Board)	Yes
The Office of Rail and Regulation	No
Transport for London	No
Each Integrated Transport Authority (Lancashire County Council)	Yes
Each highway authority within the meaning of section 1 of the Highways Act 1980 (National Highways)	Yes
The Marine Management Organisation	No

Representations received from Neighbouring Strategic policy making authorities

Neighbouring Local Planning Authorities/LCC	Received Representations
Lancashire County Council	Yes
West Lancashire Borough Council	Yes
Fylde Council	Yes
Blackburn with Darwen Borough Council	Yes
Wigan Council	No
Bolton Council	No
Greater Manchester Combined Authority	No
Ribble Valley Borough Council	No
Wyre Council	No

Representations received from other relevant bodies

Other Bodies

The Defence Infrastructure Organisation

NHS Property Services Ltd

United Utilities

Parish Councils - Heath Charnock, Whittingham, Bretherton, Whittle-le-Woods, Grimsargh, Farington

The Wildlife Trust

The Mining Remediation Authority

The Theatres Trust

Sport England

Lancashire Constabulary

National Grid

Representations received broken down into matters

Matters	Number of Reps
Chorley Sites	19
Preston Sites	13
South Ribble Sites	18
Duty to Cooperate	2
General Plan	13
Area Profile	5
Spatial Vision	8
Strategic Objective	7
Housing Trajectory	5
Monitoring Framework	4
Evidence	15

Representations received broken down by chapter

Chapters	Number of Reps
Spatial Strategies	40
Strategic Sites	36
Housing	221
Economy	66
Communities	19
Environment	106
Climate Change	19
Transport	11
Infrastructure	20

Representations received per policy

Policy Reference	Policy Title	Number of Reps
Chapter 3: Spatial Strategy		
SS1	Strategic Policy - Development Patterns	18
SS2	Strategic Policy - Settlement Hierarchy	22
SS3	Strategic Site - North West Preston/Bartle	10
SS4	Strategic Site - Fulwood Barracks	8
SS5	Strategic Site - Preston West	14
SS6	Strategic Site - Pickering's Farm, Penwortham	4
Overall		
HS1	Strategic Policy - Scale of Housing Growth and Distribution of Housing Requirements	33
HS2	Housing Allocations Chorley	51
HS3	Housing Allocations South Ribble	61
HS4	Housing Allocations Preston	12
HS5	Open Space and Playing Pitch Requirements in New Housing Developments	8
HS6	Housing Mix and Density	18
HS7	Affordable Housing	18
HS8	Rural Exception Sites	4
HS9	Rural Worker Dwellings	0
HS10	Houses in Multiple Occupation (HMOs)	1
HS11	Self-Build and Custom-Build Housing	3
HS12	Specialist Housing	6
HS13	Strategic Policy: Gypsy, Traveller and Travelling Showperson Needs	6

Representations received per policy (Cond')

Overall		
EC1	Strategic Policy - Scale of Economic Growth	11
EC2	Employment Allocations Chorley	6
EC3	Employment Allocations Preston	6
EC4	Employment Allocations South Ribble	5
EC5	Mixed-use Allocations Chorley	12
EC6	Mixed-use Allocations South Ribble	8
EC7	Protection of Existing Employment Sites	3
EC8	Rural Economy	0
EC9	Skills and Economic Inclusion	2
EC10	University of Central Lancashire	1
EC11	Strategic Policy - Retail Hierarchy	3
EC12	Preston City Centre	5
EC13	Development in Town Centres	1
EC14	Priorities for Tourism and the Visitor Economy	3

Overall		
HC1	Strategic Policy - Health and Wellbeing	3
HC2	Hot Food Takeaways	2
HC3	Community, Health and Education Facilities	5
HC4	Purpose Build Places of Worship and/or Religious Instruction	3
HC5	Protection of New Open Space, Sport and Recreation Facilities	4
HC6	Protection of Existing Open Space, Sport and Recreation Facilities	1
HC7	Cemeteries and Crematoria	1

Representations received per policy (Cond')

Overall		
EN1	Strategic Policy - Well Designed Places	17
EN2	Design Criteria for New Development	6
EN3	Tall Buildings	2
EN4	Amenity	3
EN5	Green Infrastructure	13
EN6	Biodiversity Net Gain	7
EN7	Designated Sites for Nature Conservation	4
EN8	Trees, Woodlands and Hedgerows	6
EN9	Species Protection	1
EN10	Development and Flood Risk	7
EN11	Water Resource Management	2
EN12	Protecting Groundwater Source Protection Zones	1
EN13	Heritage Assets and Archaeology	3
EN14	Environmental Quality	5
EN15	Areas of Green Belt	10
EN16	Protection of Agricultural Land	2
EN17	Development in the Open Countryside	7
EN18	Areas of Separation	10
EN19	Landscaper Character	1
Overall		
CC1	Strategic Policy - Climate Change	10
CC2	Renewable Energy Generation and District Heating Networks	3
CC3	Reducing Energy Consumption	6

Representations received per policy (Cond')

Overall		
ST1	Strategic Policy - Strategic Transport Priorities	1
ST2	Sustainable and Active Travel	8
ST3	Parking Standards	2

Overall		
ID1	Strategic Policy - Infrastructure Planning Principles	7
ID2	Developer Contributions and Planning Obligations	11
ID3	Digital and Communications Infrastructure	2

How we have responded to the representations

- ▶ Considered matters raised
- ▶ Consulted with key partners, for example LCC
- ▶ Engaged with consultants who prepared evidence
- ▶ Prepared our response to each matter raised which will be published
- ▶ Identified any minor amendments to the Local Plan (typographical, factual, formatting or map related)

Any Questions?

Agenda Item 11

Central Lancashire Local Plan

2023-2041 Regulation 22

Submission

Presentation by

Zoe Whiteside

Date

09/06/2025

22

What this presentation will cover

- ▶ Next Steps in preparing for submission
- ▶ Amendments to the local plan and matters to address
- ▶ What Happens Next

The Duty to Cooperate and follow up work

- ▶ Engagement meetings with a number of neighbouring councils and bodies
- ▶ Following up matters raised
- ▶ Key evidence concluded including Strategic Transport Assessment
- ▶ Drafting/revising of a number of Statements of Common Ground

Minor amendments to CLLP

Category	Number of Modification
Formatting correction	8
Typographical correction	5
Factual correction	24
Mapping	19
Total	56

Issues likely to arise at examination

- ▶ Annual Housing need, housing requirement and distribution
- ▶ Spatial distribution of growth - housing and employment
- ▶ Gypsy and traveller needs - permanent sites and transit
- ▶ Heritage - policy wording
- ▶ Affordable housing - need and supply
- ▶ Plan viability including absence of greenfield/greenbelt land release
- ▶ Infrastructure delivery, including highways and schools

Preparing for Regulation 22 submission of CLLP 2023-2041

The documents we must submit to the Secretary of State(via the Planning Inspectorate) with a covering letter that sets out key information;

- 1) The sustainability appraisal report
- 2) A submission policies map
- 3) A statement setting out who was invited to make representations on the plan at Regulation 18 consultation stage, how those representations were invited, a summary of the main issues raised, and how the representations were taken into account and the number of representations consultation at Regulation 19 stage) and a summary of the main issues raised
- 4) Copies of all representations made in response to consultation at Regulation 19 stage and
- 5) Such supporting documents which the LPA consider are relevant to the preparation of the plan (these will include the evidence base)

What happens next

- ▶ Submission on 30th June
- ▶ The Councils must make copies of the local plan and submission documents available to the public, on website and in key locations
- ▶ Issue a statement of the fact that the documents are available for inspection and of the places and times at which they can be inspected
- ▶ Send to each of the consultation bodies notification that the submission documents are available for inspection and of the places and times at which they can be inspected
- ▶ Give notice to those persons who requested to be notified of the submission of the Local Plan to the Secretary of State that it has been so submitted

What happens next (cont'd)

- ▶ SLA in place with the Planning Inspectorate (including data sharing agreement)
- ▶ Two Planning Inspectors are likely to be allocated to the Local Plan
- ▶ Programme Officer is now appointed and will be the point of contact for the Inspector and any representors participating in the hearings

Start of the Examination process

- ▶ Planning Inspectors' initial assessment of the plan and organisation of the hearing sessions
- ▶ Possible initial questions on the back of their initial review.
- ▶ Matters, Issues and Questions issued to help shape the examination hearing sessions - given time to respond.
- ▶ Open to objectors/interested parties to respond as well.
- ▶ Inspector determines the matters and issues for discussion at the hearings, and prepares the initial hearings timetable and a guidance note for participants
- ▶ Councils must advertise the opening of a hearing at least 6 weeks in advance.

Thereafter...

- ▶ Conduct of the hearing sessions
- ▶ Main modifications and reporting
- ▶ Quality assurance, fact check and delivery of final report
- ▶ Councils' Decision on adoption of the local plan.

Any Questions?

Appendix 3 – 6 November 2025 EIR letter



Pinsent Masons

BY E-MAIL

Ben Storey, Democratic & Member Services

Officer Email: [REDACTED]

Ben Story, Democratic & Members Services Officer

[REDACTED]

Lizzie Bilsborrow, Member Services Officer

[REDACTED]

Josh Mynott (Lancashire)

[REDACTED]

Freedom of Information Lancashire County Council

[REDACTED] reference

11425996 FTAO Charlotte

Your Ref
Our Ref: 160216362.11700183.07007

DDI +442074909685
E [REDACTED]

6 November 2025

Dear Sirs

FURTHER INFORMATION REQUEST: CENTRAL LANCASHIRE LOCAL PLAN ("the Plan")

We refer to previous correspondence on this issue, detailed in the chronology below. This further request for information is submitted on behalf of Story Homes, the Northern Trust, Persimmon Homes and Taylor Wimpey and we look forward to receiving your response within the statutory timeframe i.e. no later than **4 December 2025**.

1. BACKGROUND

On 24th July we submitted a request for disclosure of information under the Environmental Information Regulations (EIR letter 1). On 20th August a response was received from Lancashire, South Ribble and Chorley Councils containing the following information:

- 1.1 A link to the published minutes of the [Central Lancashire Strategic Planning Joint Advisory Committee on Monday, 9th June 2025](#).
- 1.2 A link to the recording of the meeting on Chorley Council's Youtube page [Central Lancashire Strategic Planning Joint Advisory Committee - 9 June 2025 - YouTube](#), (though this recording ended as the public were excluded from hearing Agenda Item 11).
- 1.3 A PDF of:
 - 1.3.1 The presentation by Zoe Whiteside on the Outcome of the Regulation 19 Consultation (Agenda item 8).
 - 1.3.2 The presentation by Zoe Whiteside on the Regulation 22 Submission (Agenda item 11).

All three Councils confirmed that "*No further material, including transcripts, exist.*"

Pinsent Masons LLP

30 Crown Place Earl Street London EC2A 4ES

T +44 (0) 20 7418 7000 F +44 (0) 20 7418 7050 DX 157620 Broadgate

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2. EXCLUSION OF PUBLIC AND RELIANCE ON SCHEDULE 12A

- 2.1 The draft minutes supplied record "*That the public be excluded from this meeting during consideration of the following items of business on the grounds that there is likely to be disclosure of exempt information which is described in the paragraphs of Schedule 12A to the Local Government Act 1972 which are specified against the heading to each item, and that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing it.*" In each case the justification for the exclusion was that there was "*Information relating to the financial or business affairs of any particular person (including the authority holding that information)*"
- 2.2 The [Chorley Constitution](#) states (p118) that "*Responsibility for deciding whether documents for inspection in connection with Committees contain exempt information under a paragraph of Schedule 12A rests with the Chief Executive or Deputy Chief Executive.*" The [South Ribble Constitution](#) states that "*The Chief Executive or other designated officer will ultimately determine whether reports and related documents are exempt or not and their decision will be final.*"
- 2.3 **Request for Information:** Please supply copies of the decisions authorising the reliance on Schedule 12A as required by the respective constitutions of South Ribble and Chorley.

3. BACKGROUND PAPERS

- 3.1 The [Chorley Constitution](#) states (p180) that every report open to the public will include a list of background papers which "*(a) disclose any facts or matters on which the report or an important part of the report is based; and (b) which have been relied on to a material extent in preparing the report*".
- 3.2 The [South Ribble Constitution](#) states (p195) that "*The Chief Executive or other designated officer will set out in every report a list of those documents (called 'background papers') relating to the subject matter of the report which in their opinion: (a) Disclose any facts or matters on which the report or an important part of the report is based; and (b) Which have been relied on to a material extent in preparing the report.*" Page 127 confirms that the Access to Information Procedure Rules apply to joint arrangements.
- 3.3 The [Preston Constitution](#) states (p125/126) that "*Every report will contain a list of those documents (called background papers) relating to the subject matter of the report which (i) disclose any facts or matters on which the report or an important part of the report is based; and (ii) which have been relied on to a material extent in preparing the report.*"

In view of these commitments to transparency and disclosure please can copies of the following be supplied:

3.3.1 **Request for information relating to Agenda Item 8**

- (a) please supply a copy of any materials relied on to prepare the presentation.
- (b) please supply details of the "*consultants who prepared evidence*"(slide 20) and which evidence they have prepared.



- (c) please confirm that all of the representations summarised in the slides (14-19) are a matter of public record and confirm where they can be found.

3.3.2 **Request for information relating to Agenda item 11**

- (a) Please confirm details of all engagement meetings with neighbouring councils and bodies that have taken place already (p24).
- (b) Please confirm details of all planned engagement meetings with neighbouring councils and bodies (p24).
- (c) Please supply copy of the latest Strategic Transport Assessment or provide details of where it can be found (p24).
- (d) Please confirm details of any Statements of Common Ground planned other than those mentioned in the [dstatement-of-common-ground-with-lancashire-county-council_sept-2025.pdf](#). (p24).
- (e) Please supply a copy of the data sharing agreement made with the Planning Inspectorate (p29).

- 3.4 **Request for information:** The [Draft Minutes](#) of the meeting state that "*The Head of Spatial Planning provided a confidential update with regards to any remaining work for officers to complete prior to submission and the next steps once the Central Lancashire Local Plan had been submitted...*" Please can you supply a copy of that update.

4. **PARAGRAPH 4.19 OF THE LOCAL PLAN**

- 4.1 Paragraph 6.1 of the [ho9-central-lancashire-housing-study-update.pdf](#) (dated December 2024) states that "*The recommended housing need scenario from this Housing Study Update is the Employment-led (CR 1-to-1) scenario which provides a total housing need figure for the whole Central Lancashire Local Plan area of 1,237 dwellings per annum.*"

- 4.2 Paragraph 4.19 of the Local Plan submission version ([CD1 Central Lancashire Local Plan Publication Version](#)) states: that "*Following publication of the revised NPPF in December 2024, the annual housing requirement for Central Lancashire has been increased slightly to 1,314 dwellings per annum in order to achieve 80% of the LHN using the new standard method formula, in accordance with the transitional arrangements. The additional 77 dwellings per annum has been distributed between the three authorities.*"

- 4.3 **Request for information:** Please can you supply a copy of any advice sought and decisions, delegated or otherwise, that relate to this change of approach.

5. **CENTRAL LANCASHIRE STRATEGIC JOINT ADVISORY COMMITTEE**

- 5.1 Our understanding of the arrangements relating to this committee ("**the Joint Advisory Committee**") are as follows:

- 5.1.1 The committee's own website ([Joint Advisory Committee - Central Lancashire Local Plan](#)) last updated in September 2025 lists a range of functions. In addition the website for the plan ([About - Central Lancashire Local Plan](#)) states



that "*this Committee has the responsibility to consider proposals, open them up to debate and move to endorse or challenge them at their discretion.*" The earliest record of any meeting appears to be January 2009 [Agenda for Central Lancashire Strategic Planning Joint Advisory Committee on Thursday, 29th January 2009, 7.00 pm | Chorley](#).

- 5.1.2 Page 64 of the Chorley constitution ([Public Pack](#))[Agenda Document for Constitution, 14/05/2025 18:30](#) is a diagram referring to the Joint Advisory Committee as a "*Joint Arrangement*". Page 114 states that "*The Joint Committee operates in accordance with relevant powers contained within the Local Government act 1972 and the Local Government Act 2000 and all enabling powers and in line with the Agreements adopted between the four Councils.*"
- 5.1.3 Page 80 of the South Ribble constitution ([SOUTH RIBBLE BOROUGH COUNCIL](#)) contains the same diagram referring to the Joint Advisory Committee as a "*Joint Arrangement*".
- 5.1.4 Page 24 paragraph 11.06 of the Preston Constitution ([Preston City Council Constitution Document - Updated August 2025](#)) refers to the Joint Advisory Committee as a "*joint committee*" and pages 53-54 list its functions.

5.2 **Request for information:**

- 5.2.1 Please provide a copy of the decision or decisions authorising the creation of the Joint Advisory Committee.
- 5.2.2 Please confirm that the scope of the powers of the Joint Advisory Committee are as stated in the website listed at 1) above.
- 5.2.3 Please confirm whether or not the Joint Advisory Committee is a Joint Committee within the meaning of Section 101(5) of the Local Government Act 1972.
- 5.2.4 If it is a Joint Committee for those purposes please confirm what plan making powers have been delegated to it and provide the source of that delegation.

6. **SOUTH RIBBLE BOROUGH COUNCIL**

- 6.1 Our understanding of the delegation arrangements relevant to this Council are taken from the [Constitution of the council | South Ribble](#) adopted September 2025 and are as follows:
 - 6.1.1 Page 116 delegates authority for Local Plan/ Spatial Planning to the Cabinet Member (Planning and Licensing).
 - 6.1.2 Page 66 confirms that only the full Council can approve the policy framework.
- 6.2 According to the presentation shown to members on 9th June and received by us on 20th August the following delegations are in place in relation to South Ribble:
 - 6.2.1 Delegated approval is given to the Director of Planning and Property, in consultation with the Cabinet Member for Economic Growth, Planning and Investment, following completion of the consultation period, to submit the Central Lancashire Local Plan 2023-2041 Publication Version to the Version



to the Secretary of State (together with any necessary minor modifications or that are required to ensure legal compliance 'soundness) in accordance with Regulation 22 (The Town and Country Planning (Local Planning)(England) Regulations 2021) for independent examination.

- 6.2.2 Council agree that delegated approval is given to the Director of Planning and Property in consultation with Cabinet Member for Economic Growth, Planning and Investment to request that the Local Plan Inspector recommends any main modifications to the submission versions of the plan to be legally compliant and found sound in accordance with Section 20(7c) etc.

6.3 **Request for information:**

- 6.3.1 Please supply details of the meeting/s and related documentation where the delegations reported to the Joint Advisory Committee on 9th June were originally granted.
- 6.3.2 Please supply an explanation of why authority for authorising amendments was delegated to the Cabinet member for Economic growth when there was already a delegation in place to the Cabinet member for Planning and Licensing in relation to local plans?
- 6.3.3 Please supply details of the officer, member or committee with delegated power to make any non-minor amendments required.

7. **PRESTON**

- 7.1 Our understanding of the delegation arrangements relevant to this Council is taken from the [Council Constitution - Preston City Council](#):

- 7.1.1 Page 25 gives the Director of Development and Housing responsibility for "*planning*".
- 7.1.2 Page 9 confirms that only the full Council can approve or adopt the policy framework.
- 7.1.3 Page 63 assigns responsibility for "*planning*" to the Cabinet Member for Planning and Regulation.

- 7.2 According to the presentation shown to members on 9th June and received by us on 20th August the following delegations are in place in relation to South Ribble:

- 7.2.1 Delegated authority to the Director of Development and Housing to make any minor non-material amendments for such purposes as correcting typographical errors, clarification in the Central Lancashire Local Plan Policies Map (Publication version) (Appendices ten to thirty-three), the Integrated Appraisal (Appendix two) and supporting documents (Appendix nine).
- 7.2.2 Delegated authority to the Director of Development and Housing, on completion of the consultation stage, to submit the Central Lancashire Local Plan 2023-2041 (Publication Version) the Central Lancashire Local Plan Policies Map (Publication Version) together with the prescribed documents and accompanying supporting documents to the Secretary of State.



- 7.2.3 Delegated authority to the Director of Development and Housing to request that the Local Plan Inspector recommends any modifications to the submission version of the plan.

7.3 **Request for information:**

- 7.3.1 Please supply details of the meeting/s and related documentation where the delegations reported to the Joint Advisory Committee on 9th June were originally granted.
- 7.3.2 Please supply details of the officer, member or committee with delegated power to make any non-minor amendments required.

8. **REQUEST FOR FURTHER INFORMATION: CHORLEY DELEGATIONS**

- 8.1 Our understanding of the delegation arrangements relevant to this Council is taken from the [Document for Constitution, 14/05/2025](#):

- 8.1.1 Page 48 confirms that only the full Council can approve the Policy Framework.
- 8.1.2 Page 96 gives the Executive Leader and Executive Member for Economic Development and Public Service Reform responsibility for the Local Plan.
- 8.1.3 Page 142 records that the Director of Planning and Property has responsibility for "spatial planning".

- 8.2 Meeting 9th June recorded the following delegations:

- 8.2.1 To grant delegated approval to the Director of Planning and Property in consultation with the Executive Member (Economic Development and Public Service Reform) following the completion of the consultation period , to submit the Central Lancashire Local Plan 2023-2041 Publication Version to the Secretary of State (together with any necessary minor modifications or that are required to ensure legal compliance 'soundness) in accordance with Regulation 22 (The Town and Country Planning (Local Planning)(England) Regulations 2021) for independent examination.
- 8.2.2 To grant delegated approval to the Director of Planning and Property in consultation with the Executive Member (Economic Development and Public Service Reform) to request that the Local Plan Inspector recommends any main modifications to the submission versions of the plan (if necessary) in order for the plan to be legally compliant.

8.3 **Request for information:**

- 8.3.1 Please supply details of the meeting/s and related documentation where the delegations reported to the Joint Advisory Committee on 9th June were originally granted.
- 8.3.2 Please supply details of the officer, member or committee with delegated power to make any material amendments required.



We look forward to hearing from you.

Yours faithfully

Pinsent Masons LLP

This letter is sent electronically and so is unsigned