



# The Planning Inspectorate

4/03 Kite Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Direct Line:  
Customer Services: 0117 372 6372  
Fax No: 0117 372 8782  
e-mail:

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Forward Planning Team  
South Ribble Borough Council  
Civic Centre  
West Paddock  
Leyland  
Lancashire  
PR25 1DH

Our Ref: PINS/F2360/429/2

Date: 22 November 2012

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Dear Sir / Madam

I am pleased to have been appointed to examine the South Ribble Site Allocations and Development Management Policies Development Plan Document (the Plan). I look forward to working with all involved in an efficient and expeditious manner.

I am currently awaiting copies of the duly made representations which I understand were received in our office on Tuesday. There may be other issues I will wish to raise once I have received and considered these. In the interim, I would be grateful for the Authority's response to the following procedural questions with suitable cross references to the substantiating evidence:

- Has the Plan been prepared in accordance with the statutory procedures of the 2004 Act (as amended) and the associated regulations<sup>1</sup>, including in respect of the publication and availability of documents, advertisements and notification?
- Has the Authority complied with Regulation 22(c) (i), (ii), (iii) and (iv)?
- Has the Authority satisfied the 'duty to cooperate' as indicated by S33A of the 2004 Act?
- Has the Plan taken account of the plans of adjoining local authorities and the County Authority?
- Has the Plan been prepared in accordance with the Authority's Local Development Scheme (LDS)?
- Has the Plan been prepared in accordance with the Authority's Statement of Community Involvement (SCI) and met the minimum requirements of the relevant regulations in terms of consultation and publicity?
- Is the Council satisfied that the sustainability appraisal report accompanying the draft plan adequately summarises or repeats the reasons that were given for rejecting the alternatives at the time when

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<sup>1</sup> Particularly, The Town and Country Planning (Local Planning) (England) Regulations 2012



they were ruled out (and that those reasons are still valid)? The Authority may wish to refer to the judgement in *Save Historic Newmarket Ltd v. Forest Heath District Council* [2011] EWHC 606.

- What is the relationship between the Regional Spatial Strategy and the submitted Plan?
- Does the Plan contain, as relevant, a list of superseded and saved development plan policies?
- Has the Plan taken account of the Authority's other plans, including any relevant Sustainable Community Strategies?
- What is the programme, and is it being met, for the preparation of other development plan documents?
- Is the Authority aware of any fundamental procedural shortcomings in the submitted document?

I understand that some representations were received by the Authority after the due date of the consultation. Can the Authority confirm which representations it has accepted and that it is content for me to consider their content?

The existence of a Habitat Regulations Assessment has been noted. At this moment in time, can the Authority confirm that there are no outstanding issues relating to this report raised by relevant bodies, for example Natural England?

As the Authority is aware and as mentioned above, S33A of the 2004 Act imposes a duty to cooperate between a local planning authority submitting a plan for examination and certain other bodies. I note the Statement of Compliance but this appears to relate to work undertaken at the Core Strategy stage. In addition, the evidence documents referred to in that Statement are not referenced using the referencing system for the submitted Plan. I would be grateful if the Authority could prepare a focussed topic paper/statement indicating how the duty has been discharged with regard to the submitted Plan. This should include two elements: firstly, how the processes of cooperation have been developed and utilised; secondly, what outcomes from the processes have been secured and whether they can be considered effective on all relevant issues, for example housing, nature conservation and necessary infrastructure.

I invite the Authority to consider the suggested 'model policy' (<http://www.planningportal.gov.uk/planning/planninginspectorate/news>) devised with regard to the thrust of the National Planning Policy Framework. Does the Authority have any views as to how it may be reflected within the Plan?

On receipt of the responses to the above, and once I have had the opportunity to consider the duly made representations, I will consider whether a formal Pre-Hearing Meeting (PHM) is necessary. I would anticipate that this would take place in early/mid January. I note the Authority's preferred hearing dates but, I consider that these dates are unlikely to be achievable, particularly as I have yet to receive copies of the representations and having regard to the intervening Christmas period.

Other matters will no doubt require attention in due course. In particular I will wish to know how the Authority would wish me to proceed in the event that the Plan requires major modification, for example in relation to consistency between Green Belt policy G1 and the National Planning Policy Framework. But, in the interim, I look forward to hearing from you as soon as possible and at the latest by 7 December.

Yours faithfully

*Susan Heywood*

Senior Housing and Planning Inspector