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Our ref BRO004/0001/4128-2811-8847/1/SR
30 September 2022

Private & Confidential

Dear Sir or Madam

**Cuerden Strategic Site, East of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall -
Planning Application LCC/2022/0044**

We act for the Brookhouse Group Limited, which is preparing its representations in relation to the above application, which has been submitted by Lancashire County Council and Maple Grove Developments Limited. The Brookhouse Group, alongside the County Council, owns the majority of the Cuerden strategic site. The Bookhouse Group is supportive of the allocation and 2015 adopted masterplan and is keen to ensure that the submitted proposals respond appropriately to that vision, which is of strategic importance for the region.

Notwithstanding the promise in your council's Statement of Community Involvement that the "Council notifies, where appropriate those owners and occupiers that are adjacent to a proposal, or may be materially affected by it" and the obvious inter-relationship between the application site and our client's land-holdings, well-known to your council, our client is disappointed that it was not included in the list of neighbouring occupiers and owners notified as to the application on 1 September 2022. Nor indeed was it notified out of courtesy by the council in its capacity as joint applicant.

In advance of submission of that response, we raise the following matters, for your council's urgent response:

1. In breach of Articles 13 and 14 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the applicants have certified that they are the sole owner of all the land to which the application relates. This is plainly incorrect as the boundaries of the application include land owned by National Highways. Please confirm that you will be asking the applicants to provide a correct certificate (B rather than A) and formally to serve notice on National Highways (and any other owners within the application boundary), in the prescribed form.
2. There are numerous inconsistencies in terms of the land to which the application relates. Article 7 (1) (c) (i) of the 2015 Order requires that any application for planning permission be accompanied by a "plan which identifies the land to which the application relates". We take this to be the site location plan, reference 21017-FRA-XX-ZZ-DR-A-91-0001_P4. However, a reduced site boundary is

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shown for example on drawing 21017-SK09 (titled 'Red Line Boundary' at Figure 1.1 of the ES). Please confirm that you will be clarifying this with the applicants.

3. At the same time as these corrections are made we suggest that the applicants be requested to correct their response to the "Authority Employment" question on the form. It is plainly incorrect and misleading for the public for the form to be stating that the applicant is not, for example, a member of staff or elected member, when one of the joint applicants is in fact the county council itself in its estates role.
4. We have previously questioned the appropriateness of this application being determined by your council pursuant to regulation 3 of the Town and Country Planning General Regulations 1992, in our letter dated 8 September 2022 sent to your council in its capacity as land owner. We continue to reserve our position on that issue pending further discussions and the provision of information which has been requested.
5. Please can we be provided with:
 - (a) The council's highways department's scoping opinion dated 15 October 2021 referred to in paragraph 1.4.1 of the applicants' transport assessment.
 - (b) A breakdown of Maple Grove Developments' assessment of the total on-site infrastructure costs set out at paragraph 4.24 of the CBRE viability assessment.

Our client reserves the right to make further representations but we wished to raise these issues with you, for appropriate action, at the earliest opportunity.

Yours faithfully



Town Legal LLP

Cc Rob Hope, Lancashire County Council (rob.hope@lancashire.gov.uk)