

# Savills on behalf of the Defence Infrastructure Organisation

## Examination into the Central Lancashire Local Plan 2023-2041

### Hearing Statement

#### Matter 12 – Environment Policies

#### (Policies EN1 – EN19)

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Issue 12 – Does the Plan set out positively prepared policies in relation to the environment which are justified, effective and consistent with national policy?

**12.1 Are the requirements of Policy EN1 clear and would they be effective? Are they consistent with requirements set out in the ‘Key Development Considerations’ for the site allocations? Are the requirements justified by appropriate evidence, having regard to national guidance? What is the justification for setting the nationally described space standards and the water efficiency requirement at 110ltrs per day? How is this supported by evidence?**

1. The policy requires clarification in order to assist the decision maker and accord with paragraph 16 (d) of the NPPF.
2. Nationally described space standards (NDSS) are generally applicable to new build dwellings, rather than the reuse of buildings. In the case of Fulwood Barracks (SS4), the repurposing of heritage buildings in a way that retains their significance is unlikely to be possible whilst adhering to the strict requirements of NDSS given the position of external and internal walls which are fixed and protected by the listing in many cases and therefore cannot be changed to reflect the Standards.
3. As set out in our Reg 19 representations, we would therefore suggest amending limb3 of the policy as follows:

*All new dwellings, but excluding those created via the conversion of existing buildings, must comply with the nationally described space standards, and higher water efficiency standards (equivalent to 110 litres/person/date).*

**12.5 Are the requirements of the Policy EN5 clear and would they be effective? On what basis were the sites allocated for Green Infrastructure both within the policy and on the policies map identified and are they justified?**

4. The identification of much of the Site at Fulwood Barracks (SS4) as Green Infrastructure has the potential to constrain the deliverability of the Site.
5. There is an inherent contradiction in allocating the Site for the development of at least 300 dwellings whilst at the same time as affording the Site specific protections from development, for approximately half of it.
6. Limb 4 part a) of draft Policy EN5 outlines the benefits of development must outweigh the harm which would certainly be the case if the Site was adopted for residential development at the time that this policy was applied.

7. Limb 4 part b) of draft Policy EN5 outlines that the NPPF mitigation hierarchy is to be followed if harm cannot be avoided however this is already covered in terms of Fulwood Barracks as set out by specific Key Development Considerations set out in Policy SS4 which relate to ecology, public open space and trees and woodland. Draft Policy EN5 is therefore considered to be superfluous, as currently drafted.
8. As set out in our Reg 19 representations, we would therefore suggest amending the EN5 designation on Policy Map 3.1 so that it does not overlap with SS4.

**12.11 Are the requirements of Policy EN13 clear, effective and consistent with national policy. In particular:**

**a). Does the policy provide clear direction in how the matter of “less than substantial harm” should be addressed?**

**b). Does the policy provide adequate discretion in relation to development which may impact upon archaeological assets?**

9. The current wording does not reflect the importance that the NPPF places on preservation of all heritage assets for future generations and not just those on the At Risk Register. Section 16 of the NPPF places great emphasis on the importance of the protection and enhancement of designated heritage assets, and their settings, for future generations.
10. As currently drafted, support for the repair and or reuse of designated heritage assets would apply only to those on the ‘At Risk Register’ which would therefore exclude all Listed Buildings within the Strategic Site Allocation SS4 owing to them currently being well maintained by the MoD.
11. As set out in our Reg 19 representations, we would therefore suggest amending the policy text as follows:  
*Proposals that seek to repair and/or re-use designated heritage assets ~~registered on Historic England’s ‘Buildings at Risk Register’~~ in a manner appropriate to their special interest will be supported.*
12. The matter of less than substantial harm is dealt with in line with paragraph 215 of the NPPF (December 2024) which outlines that where a development would lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This would be considered further by the decision maker in the determination of any planning application moving forward.
13. Development which may impact upon archaeological assets should be considered in line with paragraph 207 of the NPPF (December 2024) which outlines a requirement for developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation, for development proposals which includes, or has the potential to include, heritage assets with archaeological interest.