

EV3 DESIGN

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
437	O	002	EV	3	NWTB	Paul Butler Associates	WMBC 437

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
572	O	022	EV	3	Peter Sargeant FRTPI		

Main Issue

Whether this policy is appropriate, having regard to the role of design in the promotion of tourism.

Inspector's Considerations and Conclusions

9.80 An objector argues that policy EV3 should recognise that design of buildings and spaces, and the overall quality of the built environment, is important for tourism development. Premises should be designed to be accessible to people with disabilities. The reasoned justification to policy EV3 refers to the quality of the built environment as being crucial to its success not only as a place in which to live and work but also in which to play. It, therefore, explicitly recognises the role of design in the promotion of leisure and tourism.

9.81 The UDP is intended to be read as a whole, in conformity with the advice of PPG12 that development plans should be succinct. Policies EM2 and EM2A deal specifically with tourism. The factors that are referred to in policy EV3A will upgrade the natural and built environment for residents and tourists alike. Policies EV3A (d) and A1C deal with access for all, including disabled people. I conclude that there is no need for further references to these matters within policy EV3.

Recommendation

I recommend:

(REC 9.22) that no modification be made to the RDD in response to this objection.

EV3A DESIGN OF NEW DEVELOPMENT

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
133	O	003	EV	3A	Eileen Rybka		WIGAN MBC 133/A
140	O	004	EV	3A	Nick Trotter		WMBC 140 EV3A
381	O	004	EV	3A	Greater Manchester Bird Recording Group		WMBC 381
437	O	001	EV	3A	North West Tourist Board	Paul Butler Associates	WMBC 437 EV3A
562	O	003	EV	3A	Sainsbury's Supermarkets Ltd	Turley Associates	WMBC 562/564 EV3A
564	O	003	EV	3A	Aldi Stores Ltd	Turley Associates	WMBC 562/564 EV3A
572	O	057	EV	3A	Peter Sargeant FRTPI		WIGAN MBC 572/A
583	O	015	EV	3A	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR
682	O	013	EV	3A	English Nature		WMBC 682/A
702	O	003	EV	3A	Tesco Stores Limited	The Development Planning Partnership	WMBC 702 PART

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Responses Ref.
424	O	019	EV	3A	Phil Lally		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
053	O	003	EV	3A	Adrian Hurst		WMBC 053 EV
572	O	095	EV	3A	Peter Sargeant FRTPI		WIGAN MBC 572/A
682	O	032	EV	3A	English Nature		WMBC 682/A
702	O	026	EV	3A	Tescos Stores Ltd	The Development Planning Partnership	WMBC 702 PART
747	O	118	EV	3A	Wigan Borough Action Group		WIGAN MBC 747/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
418	S	007	EV	3A	GMPTE		

Supporters of Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
747	S	011	EV	3A	Wigan Borough Action Group		
747	S	012	EV	3A	Wigan Borough Action Group		
747	S	013	EV	3A	Wigan Borough Action Group		

Note

This policy is subject to DINC1.

The matters raised by objections 437/001 and 437/018 are dealt with in the section of this report which relates to policy EV3.

Main Issues

Whether this policy is appropriate, having regard to:

- the relevance of the policy criteria to particular development schemes;
- the need to reflect biodiversity considerations in design;
- the promotion of nature conservation;
- the need to protect and enhance the public rights of way network;
- the requirement for the protection of local and strategic views of landmarks and focal points;
- the need to protect privacy and security;
- the need for public consultation on development proposals;
- the need for cross-references to other policies;
- the detailed wording of the reasoned justification.

Inspector's Considerations and Conclusions

The relevance of the policy criteria to particular development schemes

9.82 Proposed RDD policy EV3A relates to the design of new development. It provides that all proposals for development will be required, through design, to promote a number of matters, several of which relate to the movement of people. Public spaces and routes must be promoted that are attractive, safe and visually and physically uncluttered. Places must be made to connect physically and visually with each other and be easy to move through. The interests of people must be put before those of traffic. Development must incorporate recognisable routes that help people to visually navigate.

9.83 Objectors argue that policy EV3A is too prescriptive. They believe that it seeks to impose requirements that are likely to be inapplicable to many forms of development. An objector is concerned that the detailed provisions of the policy could stifle innovation and render schemes unviable. PPG12 (paragraph 3.14) advises that policies in development plans should concentrate on those matters which are likely to provide the basis for considering planning applications or for determining conditions to be attached to planning permissions. Excessive detail should be avoided. In my view, policy EV3A does this while avoiding unnecessary prescription and detail.

9.84 The LPA concurs that some of the criteria will not be relevant in particular cases. In the interests of clarity this principle should be reflected in the policy wording. An objector seeks the replacement of the word 'required' in the first line of the policy with 'encouraged'. This would, however, render the policy incapable of use in the control of development, contrary to the advice of PPG12 (paragraph 3.14).

9.85 An objector argues that some of the requirements involve matters that are better left to supplementary planning guidance. It may be that the LPA will seek to elaborate on

certain of the matters referred to in the policy by the preparation of such guidance. As written, however, the various clauses of the policy clearly present the matters to which regard is to be had in the control of development. PPG12 (paragraph 3.15) advises that any supplementary planning guidance that is prepared should, among other things, be clearly cross-referenced to the relevant plan policy. It is, therefore, necessary to retain policy EV3A in its present form even if a number of its provisions are later to be augmented by supplementary planning guidance.

The need to reflect biodiversity considerations in design

9.86 An objector argues that the clauses of policy EV3A should incorporate biodiversity considerations so that existing ecological features of a site can be protected and enhanced. PPG9 (paragraph 27) advises that nature conservation can be a significant material consideration in determining many planning applications, but recognises that there may be situations where other material factors are sufficient to override these. It would not, therefore, be appropriate to require that existing ecological features should be protected and conserved in every case. The UDP is to be read as a whole. Policies EV2, EV2A, EV2B, EV2C, EV2D and EV2E provide protection for nature conservation interests. According to the advice of PPG9 these must be weighed against the interests of development in each particular case. I conclude that the structure of the UDP allows that balancing exercise to be carried out on the basis of clearly expressed objectives. There is, therefore, no need for the modification sought by the objector.

The promotion of nature conservation

9.87 An objector refers to the merits of ‘green roofs’ in providing valuable habitats for wildlife in built-up areas. Clause (j) of policy EV3A does require the promotion of sustainability principles via the design of new development wherever this is possible. The policy, therefore, provides the scope for ‘green roofs’ to be incorporated in a development scheme if this was appropriate in a particular case.

The need to protect and enhance the public rights of way network

9.88 An objector notes that policy EV3A makes provision for the creation of new routes via the development process and also that policy C1E provides for the continued development of the Greenway Network for use by walkers and, wherever practicable, disabled people, cyclists and horse-riders. When established this will be protected from development and extended when opportunities arise. The LPA concurs with the objector that almost all of the Borough’s rights of way network is additional to the Greenway Network.

9.89 The objector notes that the RDD makes no provision for the protection, retention and enhancement of the public rights of way network. The LPA concurs and, via DINC8, proposes an additional policy C1X which provides that the Council will support the retention and enhancement of the public rights of way network. The proposed reasoned justification to this policy makes explicit reference to the role of this network in

providing for horse-riders, as the objector contends it should. The LPA, in the interests of consistency, agrees with the objector that the reasoned justification to RDD policy EV3A, where this deals with mobility and accessibility, should also make explicit reference to horse-riders. For the same reason I concur with this view. The proposed new policy provides that development will not be approved where it results in a closure or diversion of a public right of way, unless a satisfactory alternative route exists or can be agreed as part of the planning application, subject to legal requirements being resolved. The reasoned justification informs that this policy is to apply to the regulation of the impact of new development upon existing public rights of way.

9.90 The objector argues that, while policy C1X would protect the existing public rights of way network, it does not explicitly secure extensions or improvements to it nor does it protect routes which are not public rights of way but which are, nevertheless, used by the public. The UDP is intended to provide a basis for consistent decision making in relation to the development and use of land. It provides a key element of the process by which planning applications for the development of land are decided. PPS1 (paragraph 19) advises that significant adverse impacts on the environment should be avoided. This principle allows the RDD to seek to prevent harm to the rights of way network by retaining it in the state in which it fulfils its present role.

9.91 Government guidance issued in the form of Circulars (11/95: ‘The Use of Conditions in Planning Permissions’ and 05/2005: ‘Planning Obligations’) does, however, require that conditions or obligations should be directly related to the development permitted. It clarifies that it is not acceptable for a developer to be required to improve an already unsatisfactory situation. Developers should not be expected to pay for facilities which are needed in order to resolve existing deficiencies, nor should attempts be made to extract excessive contributions to infrastructure costs from developers. The protection of a route which is not a public right of way might well come into the category of a concession which is not directly related to development.

9.92 For these reasons policy EV3A should not be modified to require that, as a condition of granting planning permission, developers should be required to enhance the public rights of way network. In my view it is rightly limited to preventing unacceptable harm to that network. As regards enhancement of that existing network, reference in policy C1X is limited to the reasoned justification which informs that opportunities will be taken to improve and extend it when new development is proposed. Such opportunities will, of course, be limited to those that are in conformity with extant Government guidance.

9.93 The objector refers to the Countryside and Rights of Way Act 2000. She argues that, in response to this, the Council should establish a Rights of Way Forum. The LPA notes that a requirement of this Act is the preparation of a Rights of Way Improvement Plan for the Borough. This is a separate procedure from the preparation of the UDP, but its outcome will link to that latter document in that it will identify potential enhancements of the rights of way network which may be achieved via the development control process or by direct investment by the Borough Council. A Local Access Forum is currently

being established to advise on the preparation of the Rights of Way Improvement Plan. I conclude that proposed policy C1X meets the concerns of the objector to the greatest extent possible under the current framework of the Government's planning policy guidance. An additional policy to deal with public rights of way is preferable to an extension of policy EV3A because this latter policy is devoted to a separate, albeit related, matter, i.e. the design of new development.

The requirement for the protection of local and strategic views of landmarks and focal points

9.94 Policy EV3A(e) provides for the protection and enhancement of both local and strategic views of landmarks and focal points. Objectors argue that this is not an adequate substitute for the provisions of FDD policy EV3E which was deleted at RDD stage. Because policy EV3A(e) provides not only for protection of such features but also for their enhancement, I conclude that it is a better safeguard of this interest of acknowledged importance than the earlier policy.

The need to protect privacy and security

9.95 The reasoned justification to policy EV3A at FDD stage, informed that clearly defined and enclosed private space at the back of buildings provides for better privacy and security. At RDD stage the LPA replaces the term 'enclosed private space' with 'enclosed external space'. It also deletes the words 'at the back of buildings'. An objector seeks the reintroduction of the FDD text because he believes that this would give greater protection to existing occupiers. The companion document to PPS1 (The Planning System: General Principles), in paragraph 29, confirms that the planning system does not exist to protect the private interests of one person against the activities of another. The concept of 'private space' is not, therefore, relevant to a development plan. As presented at RDD stage the text gives greater protection to existing occupiers because it draws attention to the importance of external space whether or not it is privately owned. The deletion of the reference to 'the back of buildings' also promotes the protection of existing occupiers because it draws attention to the importance of external space wherever it is.

The need for public consultation on development proposals

9.96 An objector argues that policy EV3A should make reference to the necessary arrangements for public consultation on development proposals. This takes place at planning application stage in accordance with established procedures. The development plan is not the appropriate document in which these should be presented.

The need for cross-references to other policies

9.97 An objector argues that a reference should be made to other relevant policies including those relating to the green belt and safeguarded land. The plan is to be read as a

whole, however, in conformity with advice of PPG12 that development plans should be succinct.

The detailed wording of the reasoned justification

9.98 The reasoned justification at RDD stage, in relation to sustainability, informs that development should follow sustainability principles. An objector argues that the word 'should' should be replaced with 'shall'. The RDD text does, however, apply the appropriate degree of flexibility for the exercise of judgement that is introduced to the planning system by s38(6) of the P&CPA 2004.

Recommendation

I recommend:

(REC 9.23) that the RDD be modified by the deletion of the first line of policy EV3A and its replacement as follows. 'All proposals for development will be required, through their design, to promote where relevant:'.

(REC 9.24) that the RDD be modified by the insertion of the words 'horse-riders' after the word 'cyclist' in the third line of section (d) of the reasoned justification to policy EV3A in accordance with DINC 1.

(REC 9.25) that the RDD be modified by the addition of policy C1X in accordance with DINC8.

(REC 9.26) that no other modification be made to the RDD in response to these objections.

EV3C DESIGN FRONTAGES TO SHOPS AND COMMERCIAL PREMISES

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
702	O	004	EV	3C	Tescos Stores Ltd	The Development Planning Partnership	702 PART

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
702	O	027	EV	3C	Tescos Stores Ltd	The Development Planning Partnership	702 PART
747	O	010	EV	3C	Wigan Borough Action Group		WIGAN MBC 747/A

Main Issues

Whether this policy is appropriate, having regard to:

- the role of policy EV3;
- the scope for innovative design;
- the comprehension of policy wording.

Inspector's Considerations and Conclusions

The role of policy EV3

9.99 RDD policy EV3C provides that proposals for new frontages or alterations to shops and commercial premises will be required to satisfy stated criteria. An objector argues that policy EV3C should be deleted because the matters it deals with are satisfactorily dealt with by policy EV3. That policy presents only basic design principles, however, sufficient to set the strategic context for the policies which follow, but not in enough detail to provide satisfactory control over the design of frontages to shops and commercial premises.

The scope for innovative design

9.100 An objector argues that criteria (a), (b) and (c) of policy EV3C could unduly constrain innovative contemporary design. There may, in his view, be circumstances where not all of these criteria need to be satisfied. Each criterion does, however, contain within itself a substantial degree of flexibility. That relating to materials and design allows scope for judgement as to whether the building itself or surrounding buildings should be used as appropriate design cues. That requiring display windows at ground floor level allows these to be dispensed with if it can be demonstrated that these would be inappropriate to the design of the whole façade. That relating to external security measures simply presents necessary design principles. It does not prescribe particular solutions. For these reasons I conclude that the criteria of the policy are not unduly prescriptive, leading inevitably to pastiche design. Instead, they provide great scope for

innovation while recognising that schemes must respect their visual context. For these reasons I conclude that the criteria of policy EV3C should not be modified.

The comprehension of policy wording

9.101 Criterion (d) of the RDD policy requires that proposals will be required to provide level or ramped access into the building wherever possible. An objector argues that this wording should be extended to require that this work be undertaken in compliance with prevailing regulations. PPG12 (paragraph 3.5) advises that development plans should not contain policies which duplicate provisions in other legislative regimes, including Building Regulations. Such an additional policy element is, therefore, inappropriate.

Recommendation

I recommend:

(REC 9.27) that no modification be made to the RDD in response to these objections.

EV3D LANDSCAPING OF DEVELOPMENT

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
002	O	001	EV	3D	Red Rose Forest		WMBC 002/A
682	O	014	EV	3D	English Nature		WMBC 682/A

Supporters to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
727	S	018	EV	3D	Greater Manchester Ecology Unit		

Main Issues

Whether this policy is appropriate, having regard to:

- the role of the UDP in relation to other elements of the development plan framework;
- the use of native species in tree planting schemes.

Inspector's Considerations and Conclusions

The role of the UDP in relation to other elements of the development plan framework

9.102 Policy EV3D provides that development will be required to incorporate good quality hard and soft landscaping, as an integral part of the proposals to enhance the environment and setting of a new building and help integrate the development into its surroundings. An objector argues that the tree stock of the Borough should be increased in line with policy UR10 of RPG13. This seeks to increase the overall stock of urban trees. He advocates a net increase in tree cover compared with the former use of any particular site. RPG13 is now part of the development plan framework. In accordance with s38(6) of the P&CPA 2004 it will form the basis for decisions on planning applications. There is, therefore, no need to incorporate its requirements into the UDP. The objective of increasing trees and woodlands in the towns and the countryside of the Borough has, nevertheless, been inserted at RDD stage within the reasoned justification of policy EV2E. I conclude that this, together with the provisions of RPG13 (policy UR10), satisfy the concerns of the objector.

The use of native species in tree planting schemes

9.103 An objector argues that landscaping should enhance biodiversity through the use of native species of tree. The reasoned justification to policy EV3D does anticipate this by referring to policy EV2E which promotes biodiversity through the use of native species in planting schemes.

Recommendation

I recommend:

(REC 9.28) that no modification be made to the RDD in response to these objections.

EV3E VIEWPOINTS

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
422	O	005	EV	3E	Lancashire CPRE		WMBC 422/A
464	O	001	EV	3E	Bispham Hall Brick and Terra Cotta Works	Hepher Dixon	WMBC EV3E
466	O	001	EV	3E	Jeffreys Miller Limited	Steven Abbott Associates	WMBC EV3E
572	O	058	EV	3E	Peter Sargeant FRTPi		WIGAN MBC
572	O	059	EV	3E	Peter Sargeant FRTPi		WIGAN MBC
583	O	016	EV	3E	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR

Draft Deposit Objections Conditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
465	O	001	EV	3E	Bett Homes (North West) Ltd	Hepher Dixon	WMBC EV3E
562	O	004	EV	3E	Sainsbury's Supermarkets Ltd	Turley Associates	WMBC EV3E
564	O	004	EV	3E	Aldi Stores Ltd	Turley Associates	WMBC EV3E
581	O	004	EV	3E	Wrightington, Wigan and Leigh NHS Trust	Michael Courcier and Partners Ltd	WMBC EV3E
697	O	007	EV	3E	Viridor Waste Management Ltd		WMBC 697

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
024	O	014	EV	3E	Mrs M E Fairhurst		WIGAN MBC FOA/A
025	O	006	EV	3E	Philip Fairhurst		WIGAN MBC FOA/A
033	O	009	EV	3E	Miss Winifred Beesley		WIGAN MBC FOA/A
049	O	009	EV	3E	Linda Hickey		WIGAN MBC FOA/A
050	O	009	EV	3E	Robert Hickey		WIGAN MBC FOA/A
053	O	010	EV	3E	Adrian Hurst		WIGAN MBC FOA/A
055	O	009	EV	3E	Mrs M Iredale		WIGAN MBC FOA/A
060	O	006	EV	3E	Anthony Connell		WIGAN MBC FOA/A
060	O	025	EV	3E	Katherine Marsland		WIGAN MBC FOA/A
086	O	009	EV	3E	Susan Melling		WIGAN MBC FOA/A
087	O	009	EV	3E	B Hughes		WIGAN MBC FOA/A
089	O	009	EV	3E	Ms Margaret Dean		WIGAN MBC FOA/A
090	O	009	EV	3E	Karin & Keith Dagnall		WIGAN MBC FOA/A
091	O	015	EV	3E	W Malcolm Cook		WIGAN MBC FOA/A
096	O	020	EV	3E	Fiona Whistlecroft		WMBC 096 Lane Head South
097	O	006	EV	3E	Mrs K Lees		WIGAN MBC FOA/A
099	O	005	EV	3E	Mr G E Forster		WIGAN MBC FOA/A
100	O	022	EV	3E	Margaret Brooks		WIGAN MBC FOA/A
101	O	016	EV	3E	William Brooks		WIGAN MBC FOA/A
114	O	014	EV	3E	Joan Atherton		WIGAN MBC FOA/A
160	O	009	EV	3E	Amelia Ellen Lavin		WIGAN MBC FOA/A

161	O	007	EV	3E	T Brennan		WIGAN MBC FOA/A
166	O	009	EV	3E	Mr Jack Delaney		WIGAN MBC FOA/A
172	O	009	EV	3E	Gary Crossley		WIGAN MBC FOA/A
172	O	025	EV	3E	Julie Crossley		WIGAN MBC FOA/A
174	O	008	EV	3E	Miss B McKenna		WIGAN MBC FOA/A
177	O	004	EV	3E	Mr D Foster		WIGAN MBC FOA/A
184	O	009	EV	3E	E M Chadwick		WIGAN MBC FOA/A
188	O	006	EV	3E	Josephine Mary Fleming		WIGAN MBC FOA/A
189	O	009	EV	3E	Miss M Topping		WIGAN MBC FOA/A
190	O	009	EV	3E	Sarbari Mukherjee		WIGAN MBC FOA/A
194	O	013	EV	3E	Lillian Corcoran		WIGAN MBC FOA/A
198	O	007	EV	3E	Mrs Kay Pooke		WIGAN MBC FOA/A
219	O	011	EV	3E	Mrs M P Anten		WIGAN MBC FOA/A
248	O	009	EV	3E	John E Middleton		WIGAN MBC FOA/A
293	O	008	EV	3E	A Hamilton		WIGAN MBC FOA/A
295	O	009	EV	3E	P D Hamilton		WIGAN MBC FOA/A
297	O	014	EV	3E	Raymond Sharples		WIGAN MBC FOA/A
303	O	013	EV	3E	Christine A Jones		WIGAN MBC FOA/A
304	O	016	EV	3E	J S Arkwright		WIGAN MBC FOA/A
308	O	014	EV	3E	M Boardman		WIGAN MBC FOA/A
311	O	002	EV	3E	Bernard Shaw		WIGAN MBC FOA/A
312	O	011	EV	3E	Mary F Shaw		WIGAN MBC FOA/A
314	O	009	EV	3E	Mrs M MacDonald		WIGAN MBC FOA/A
317	O	014	EV	3E	J G Ellison		WIGAN MBC FOA/A
318	O	009	EV	3E	Mr G Daniels		WIGAN MBC FOA/A
319	O	009	EV	3E	Mrs M H Hughes		WIGAN MBC FOA/A
322	O	001	EV	3E	Archibald Smith Tate		WIGAN MBC FOA/A
322	O	009	EV	3E	Archibald Smith Tate		WIGAN MBC FOA/A
323	O	009	EV	3E	Norman Edward Rusk		WIGAN MBC FOA/A
325	O	009	EV	3E	Mr John Steele		WIGAN MBC FOA/A
326	O	009	EV	3E	Mrs Janet Steele		WIGAN MBC FOA/A
327	O	009	EV	3E	Neina Woodward		WIGAN MBC FOA/A
328	O	017	EV	3E	Mr A Woodward		WIGAN MBC FOA/A
330	O	007	EV	3E	William Glover		WIGAN MBC FOA/A
332	O	015	EV	3E	David Catterall		WIGAN MBC FOA/A
333	O	007	EV	3E	Geoffrey Powell		WIGAN MBC FOA/A
335	O	003	EV	3E	J F Kearsley		WIGAN MBC FOA/A
339	O	007	EV	3E	Kathryn Pennington		WIGAN MBC FOA/A
407	O	008	EV	3E	Adele Wilkes		WIGAN MBC FOA/A
408	O	012	EV	3E	Gary Wilkes		WIGAN MBC FOA/A
436	O	009	EV	3E	Mrs E Johnson		WIGAN MBC FOA/A
446	O	009	EV	3E	C Hilton-Carroll		WIGAN MBC FOA/A
450	O	009	EV	3E	Andre Philip Richard Gorer		WIGAN MBC FOA/A
461	O	011	EV	3E	Ethel Glover		WIGAN MBC FOA/A
493	O	017	EV	3E	William Lovell Verinder		WIGAN MBC FOA/A
494	O	009	EV	3E	Julie L Harrison		WIGAN MBC FOA/A
505	O	009	EV	3E	Mrs C Daington		WIGAN MBC FOA/A

533	O	014	EV	3E	Mrs E A Carter	WIGAN MBC FOA/A
548	O	016	EV	3E	Mrs Sylvia Marion Stitt	WIGAN MBC FOA/A
550	O	006	EV	3E	Belinda Croston	WIGAN MBC FOA/A
572	O	096	EV	3E	Peter Sargeant FRTPi	WIGAN MBC 572/A
573	O	009	EV	3E	Mr A Eaves	WIGAN MBC FOA/A
574	O	009	EV	3E	John Murphy	WIGAN MBC FOA/A
591	O	006	EV	3E	Mr John Makin	WIGAN MBC FOA/A
747	O	117	EV	3E	Robert Beale	WIGAN MBC 747/A
810	O	018	EV	3E	Mr A Sherman	WIGAN MBC FOA/A
828	O	008	EV	3E	Dorothy Arkwright	WIGAN MBC FOA/A
830	O	006	EV	3E	C Muran	WIGAN MBC FOA/A
831	O	012	EV	3E	Les Jones	WIGAN MBC FOA/A
833	O	006	EV	3E	S Murphy	WIGAN MBC FOA/A
834	O	006	EV	3E	C Murphy	WIGAN MBC FOA/A
835	O	006	EV	3E	P Murphy	WIGAN MBC FOA/A
836	O	004	EV	3E	Mr C L Pooke	WIGAN MBC FOA/A
837	O	013	EV	3E	Mrs S Whitfield	WIGAN MBC FOA/A
838	O	001	EV	3E	Rachel Webster	WIGAN MBC FOA/A
839	O	006	EV	3E	Gary Oakes	WIGAN MBC FOA/A
840	O	006	EV	3E	Mrs J Sherman	WIGAN MBC FOA/A
887	O	015	EV	3E	Mr Charles Christopherson	WIGAN MBC FOA/A
888	O	014	EV	3E	W A Sefton	WIGAN MBC FOA/A
889	O	002	EV	3E	W Boardman	WIGAN MBC FOA/A
890	O	012	EV	3E	Mrs Edith Sefton	WIGAN MBC FOA/A
891	O	002	EV	3E	Mrs Speed	WIGAN MBC FOA/A
892	O	009	EV	3E	Adrian Hughes	WIGAN MBC FOA/A
893	O	001	EV	3E	Mrs M J Rusk	WIGAN MBC FOA/A
894	O	004	EV	3E	Mr John Wilkieson	WIGAN MBC FOA/A
895	O	003	EV	3E	Mrs T Quinn	WIGAN MBC FOA/A
896	O	008	EV	3E	David Tinsley	WIGAN MBC FOA/A
897	O	008	EV	3E	Janet Marjorie Tate	WIGAN MBC FOA/A
898	O	008	EV	3E	Miss T Topping	WIGAN MBC FOA/A
899	O	013	EV	3E	Betty Prescott	WIGAN MBC FOA/A
900	O	013	EV	3E	Mrs J Lodge	WIGAN MBC FOA/A
901	O	004	EV	3E	Alison Hurst	WIGAN MBC FOA/A
902	O	010	EV	3E	S V Lang	WIGAN MBC FOA/A
903	O	016	EV	3E	J A Harrison	WIGAN MBC FOA/A
904	O	013	EV	3E	Dr A M Mukherjee	WIGAN MBC FOA/A
905	O	009	EV	3E	Mrs H J Hughes	WIGAN MBC FOA/A
906	O	008	EV	3E	Frank Stringfellow	WIGAN MBC FOA/A
907	O	008	EV	3E	Ida Rylance	WIGAN MBC FOA/A
908	O	008	EV	3E	William J Rylance	WIGAN MBC FOA/A
909	O	008	EV	3E	J Butcher	WIGAN MBC FOA/A
910	O	008	EV	3E	Mrs Kathleen F Brown	WIGAN MBC FOA/A
911	O	008	EV	3E	D Ball	WIGAN MBC FOA/A
912	O	008	EV	3E	Mr R Banks	WIGAN MBC FOA/A
913	O	008	EV	3E	J Houghton	WIGAN MBC FOA/A

914	O	008	EV	3E	C Macdonald	WIGAN MBC FOA/A
915	O	002	EV	3E	Jacqueline Sheehan	WIGAN MBC FOA/A
916	O	009	EV	3E	Maureen Smith	WIGAN MBC FOA/A
917	O	002	EV	3E	Mrs P A Tushingham	WIGAN MBC FOA/A
918	O	006	EV	3E	Gladys Wilkes	WIGAN MBC FOA/A
919	O	013	EV	3E	P A Waldron	WIGAN MBC FOA/A
920	O	008	EV	3E	Mr R G Bradshaw	WIGAN MBC FOA/A
921	O	011	EV	3E	D Ellison	WIGAN MBC FOA/A
922	O	005	EV	3E	Richard Andrew Corless	WIGAN MBC FOA/A
923	O	001	EV	3E	Jeffrey Cook	WIGAN MBC FOA/A
924	O	002	EV	3E	Maureen Corless	WIGAN MBC FOA/A
925	O	011	EV	3E	I Cotham	WIGAN MBC FOA/A
926	O	004	EV	3E	Margaret Catterall	WIGAN MBC FOA/A
927	O	014	EV	3E	Vincent Corcoran	WIGAN MBC FOA/A
928	O	004	EV	3E	Philip Holt	WIGAN MBC FOA/A
929	O	006	EV	3E	A Horton	WIGAN MBC FOA/A
930	O	015	EV	3E	Mr A J Horton	WIGAN MBC FOA/A
931	O	008	EV	3E	C P Simpson	WIGAN MBC FOA/A
932	O	008	EV	3E	G Brash	WIGAN MBC FOA/A
933	O	008	EV	3E	Bernard H Shorrocks	WIGAN MBC FOA/A
934	O	008	EV	3E	Brenda Ryan	WIGAN MBC FOA/A
935	O	008	EV	3E	Mrs K Marsh	WIGAN MBC FOA/A
936	O	008	EV	3E	Mrs A Cordell	WIGAN MBC FOA/A
937	O	008	EV	3E	F Murtagh	WIGAN MBC FOA/A
938	O	008	EV	3E	Mrs Vivien Rigby	WIGAN MBC FOA/A
939	O	005	EV	3E	Doreen Sharples	WIGAN MBC FOA/A
940	O	006	EV	3E	David Pennington	WIGAN MBC FOA/A
941	O	014	EV	3E	Mrs J Tushingham	WIGAN MBC FOA/A
942	O	006	EV	3E	Mr A Tushingham	WIGAN MBC FOA/A
943	O	008	EV	3E	Marilyn Riding	WIGAN MBC FOA/A
944	O	008	EV	3E	Edward Ryan	WIGAN MBC FOA/A
945	O	008	EV	3E	Ann Gorner	WIGAN MBC FOA/A
946	O	008	EV	3E	Ben Daniel Gorner	WIGAN MBC FOA/A
947	O	008	EV	3E	Gabrielle Maria Gorner	WIGAN MBC FOA/A
948	O	010	EV	3E	Sheila Jones	WIGAN MBC FOA/A
949	O	005	EV	3E	Gary W Jones	WIGAN MBC FOA/A
950	O	010	EV	3E	Allan Jones	WIGAN MBC FOA/A
951	O	008	EV	3E	Mr Michael W Kelly	WIGAN MBC FOA/A
952	O	018	EV	3E	Mrs V Kelly	WIGAN MBC FOA/A
953	O	003	EV	3E	J A Pendlebury	WIGAN MBC FOA/A
954	O	015	EV	3E	P J Pendlebury	WIGAN MBC FOA/A
955	O	002	EV	3E	S Leonard	WIGAN MBC FOA/A
956	O	004	EV	3E	Harry Millington	WIGAN MBC FOA/A
957	O	012	EV	3E	Patricia A Donnelly	WIGAN MBC FOA/A
958	O	003	EV	3E	Mary E Shorrocks	WIGAN MBC FOA/A
959	O	012	EV	3E	Mrs Heather Williams	WIGAN MBC FOA/A
960	O	014	EV	3E	Mrs P A Grimshaw	WIGAN MBC FOA/A

961	O	001	EV	3E	Mrs Doreen Glover		WIGAN MBC FOA/A
962	O	007	EV	3E	Teresa Garland		WIGAN MBC FOA/A
963	O	002	EV	3E	Karen Gibson		WIGAN MBC FOA/A
964	O	006	EV	3E	A Pennington		WIGAN MBC FOA/A
965	O	002	EV	3E	F Heaton		WIGAN MBC FOA/A
966	O	008	EV	3E	Eileen Critchley		WIGAN MBC FOA/A
967	O	008	EV	3E	Mrs Eryl Cross		WIGAN MBC FOA/A
968	O	009	EV	3E	Roger K Dandridge		WIGAN MBC FOA/A
969	O	009	EV	3E	R J Brown		WIGAN MBC FOA/A
970	O	015	EV	3E	Norah Bradshaw		WIGAN MBC FOA/A
971	O	016	EV	3E	Mrs K Birkett		WIGAN MBC FOA/A
972	O	007	EV	3E	Debbie Gaynor		WIGAN MBC FOA/A
973	O	005	EV	3E	Margaret Cook		WIGAN MBC FOA/A
974	O	003	EV	3E	Mrs P M Forster		WIGAN MBC FOA/A
975	O	010	EV	3E	Mrs Edna Brown		WIGAN MBC FOA/A
976	O	015	EV	3E	Mrs T Wood		WIGAN MBC FOA/A
977	O	002	EV	3E	Anne Maliczewski		WIGAN MBC FOA/A
978	O	007	EV	3E	Mr J W Fleming		WIGAN MBC FOA/A
979	O	013	EV	3E	Mr Stanley L Brown		WIGAN MBC FOA/A
980	O	014	EV	3E	Jean Haddock		WIGAN MBC FOA/A
981	O	003	EV	3E	A M Catterall		WIGAN MBC FOA/A
982	O	009	EV	3E	Mrs Kinsella		WIGAN MBC FOA/A
983	O	002	EV	3E	Mrs Sheila Majakari		WIGAN MBC FOA/A
984	O	016	EV	3E	D Glover		WIGAN MBC FOA/A
985	O	013	EV	3E	W MacDonald		WIGAN MBC FOA/A
986	O	008	EV	3E	Joan Quick		WIGAN MBC FOA/A
987	O	008	EV	3E	Anthony Quick		WIGAN MBC FOA/A
988	O	008	EV	3E	Miss A L Prescott		WIGAN MBC FOA/A
989	O	008	EV	3E	Mrs B Prescott		WIGAN MBC FOA/A
990	O	008	EV	3E	Barbara Parkinson		WIGAN MBC FOA/A
991	O	008	EV	3E	Marian Ochwat		WIGAN MBC FOA/A
992	O	008	EV	3E	Stefan Ochwat		WIGAN MBC FOA/A
993	O	009	EV	3E	George Swindell		WIGAN MBC FOA/A
994	O	008	EV	3E	Hazel Louise Gorner		WIGAN MBC FOA/A
995	O	008	EV	3E	Andrew Gaynor		WIGAN MBC FOA/A
996	O	007	EV	3E	Patricia M Shannon		WIGAN MBC FOA/A
997	O	008	EV	3E	Dinah Middleton		WIGAN MBC FOA/A
998	O	008	EV	3E	J Fairhurst		WIGAN MBC FOA/A
999	O	008	EV	3E	T Doyle		WIGAN MBC FOA/A
A01	O	008	EV	3E	Anna Louise Calder		WIGAN MBC FOA/A
A02	O	008	EV	3E	Peter Cains Butchers		WIGAN MBC FOA/A
A03	O	008	EV	3E	Linda Croston		WIGAN MBC FOA/A
A04	O	008	EV	3E	Jane Moore		WIGAN MBC FOA/A
A05	O	008	EV	3E	Friends of Ashton		WIGAN MBC A05/A
A06	O	008	EV	3E	Mrs Hilary Davies		WIGAN MBC FOA/A
A07	O	008	EV	3E	Paula Jayne Green		WIGAN MBC FOA/A
A08	O	008	EV	3E	Joseph Garland		WIGAN MBC FOA/A

A09	O	008	EV	3E	Mr James Crook		WIGAN MBC FOA/A
A10	O	008	EV	3E	Mr John Crook		WIGAN MBC FOA/A
A11	O	008	EV	3E	B Carney		WIGAN MBC FOA/A
A12	O	008	EV	3E	Frank Brown		WIGAN MBC FOA/A
A13	O	008	EV	3E	Mr J Bentham		WIGAN MBC FOA/A
A14	O	008	EV	3E	M Withington		WIGAN MBC FOA/A
A15	O	008	EV	3E	Helen Whalley		WIGAN MBC FOA/A
A16	O	008	EV	3E	William James Wilkes		WIGAN MBC FOA/A
A17	O	008	EV	3E	Joanne Young		WIGAN MBC FOA/A
A18	O	008	EV	3E	John G Bradshaw		WIGAN MBC FOA/A
A19	O	008	EV	3E	G Sheedy		WIGAN MBC FOA/A
A20	O	008	EV	3E	Jayne Johnson		WIGAN MBC FOA/A
A21	O	008	EV	3E	Mrs I B Eaves		WIGAN MBC FOA/A
A22	O	008	EV	3E	Greta Kearsley		WIGAN MBC FOA/A
A23	O	008	EV	3E	Margaret Thompson		WIGAN MBC FOA/A
A24	O	008	EV	3E	Richard Prescott		WIGAN MBC FOA/A
A25	O	008	EV	3E	John Melling		WIGAN MBC FOA/A
A26	O	008	EV	3E	Yvonne Harrison		WIGAN MBC FOA/A
A27	O	008	EV	3E	I R Clarence		WIGAN MBC FOA/A
A28	O	008	EV	3E	Mr P Majakari		WIGAN MBC FOA/A
A29	O	008	EV	3E	Brenda Edwards		WIGAN MBC FOA/A
A30	O	008	EV	3E	Alan Edwards		WIGAN MBC FOA/A
A31	O	008	EV	3E	Mrs M McKechnie		WIGAN MBC FOA/A
A32	O	008	EV	3E	Alan Hurst		WIGAN MBC FOA/A
A33	O	008	EV	3E	Thomas Hughes		WIGAN MBC FOA/A
A34	O	008	EV	3E	K Hilton		WIGAN MBC FOA/A
A35	O	008	EV	3E	Albert Atherton		WIGAN MBC FOA/A
A36	O	008	EV	3E	Julia Allen		WIGAN MBC FOA/A
A37	O	005	EV	3E	B Potter		WIGAN MBC FOA/A
A38	O	013	EV	3E	Mrs K W Parker		WIGAN MBC FOA/A
A39	O	008	EV	3E	Barbara Hodgkinson		WIGAN MBC FOA/A
A40	O	007	EV	3E	F W Appleton		WIGAN MBC FOA/A
A41	O	004	EV	3E	Alastair Stitt		WIGAN MBC FOA/A
A42	O	014	EV	3E	Ian Campbell		WIGAN MBC FOA/A
A43	O	008	EV	3E	Allen James Johnson		WIGAN MBC FOA/A
A44	O	008	EV	3E	Mr A Simpson		WIGAN MBC FOA/A
A45	O	012	EV	3E	Mr Robert Richard Hughes		WIGAN MBC FOA/A
A46	O	005	EV	3E	Paul A Tushingham		WIGAN MBC A05/A
A47	O	010	EV	3E	Mrs I Prescott		WIGAN MBC FOA/A
A48	O	011	EV	3E	Mrs Carol Spencer		WIGAN MBC FOA/A
A49	O	004	EV	3E	E J Clarence		WIGAN MBC FOA/A
A50	O	011	EV	3E	Michael David Iredale		WIGAN MBC FOA/A
A51	O	008	EV	3E	Warren Pennington		WIGAN MBC FOA/A
A52	O	011	EV	3E	Beryl Helsby		WIGAN MBC FOA/A
A53	O	011	EV	3E	Geoffrey MacDonald		WIGAN MBC FOA/A
A54	O	015	EV	3E	Andrea Hilton		WIGAN MBC FOA/A
A55	O	015	EV	3E	W Carney		WIGAN MBC FOA/A

A56	O	015	EV	3E	M Owen		WIGAN MBC FOA/A
A57	O	005	EV	3E	Matthew Tushingham		WIGAN MBC FOA/A
A58	O	008	EV	3E	W D Gibson		WIGAN MBC FOA/A
A59	O	008	EV	3E	Pauline Campbell		WIGAN MBC FOA/A
A60	O	007	EV	3E	R Huyton		WIGAN MBC FOA/A
A61	O	008	EV	3E	Alan Dean		WIGAN MBC FOA/A
A62	O	008	EV	3E	D Cunliffe		WIGAN MBC FOA/A
A63	O	008	EV	3E	Paula Cunliffe		WIGAN MBC FOA/A
A64	O	007	EV	3E	Angela Catterall		WIGAN MBC FOA/A
A65	O	008	EV	3E	George Croston		WIGAN MBC FOA/A
A66	O	008	EV	3E	Cyril Catterall		WIGAN MBC FOA/A
A67	O	008	EV	3E	Steven Sheehan		WIGAN MBC FOA/A
A68	O	008	EV	3E	Bernard Mattison		WIGAN MBC FOA/A
A69	O	008	EV	3E	A I Bullough		WIGAN MBC FOA/A
A70	O	008	EV	3E	Mrs Dawn Wilson		WIGAN MBC FOA/A
A71	O	008	EV	3E	Mrs K Maddocks		WIGAN MBC FOA/A
A72	O	008	EV	3E	R F Bullough		WIGAN MBC FOA/A
A73	O	008	EV	3E	Cissie Garston		WIGAN MBC FOA/A
A74	O	007	EV	3E	George McCathie		WIGAN MBC FOA/A
A75	O	008	EV	3E	Susan Holt		WIGAN MBC FOA/A
A76	O	008	EV	3E	David Thompson		WIGAN MBC FOA/A
A77	O	008	EV	3E	Natalie Gibson		WIGAN MBC FOA/A
A78	O	008	EV	3E	Mr S J Winstanley		WIGAN MBC FOA/A
A79	O	008	EV	3E	Mr P Redmond		WIGAN MBC FOA/A
A80	O	008	EV	3E	Mrs M Leyland		WIGAN MBC FOA/A
A81	O	008	EV	3E	Mrs H M Francis		WIGAN MBC FOA/A
A82	O	008	EV	3E	Mrs J Smith		WIGAN MBC FOA/A
A83	O	008	EV	3E	J Marsh		WIGAN MBC FOA/A
A84	O	008	EV	3E	Derek Woods		WIGAN MBC FOA/A
A85	O	008	EV	3E	Mrs Sheila Dandridge		WIGAN MBC FOA/A
A86	O	008	EV	3E	Mrs M Johnson		WIGAN MBC FOA/A
A87	O	008	EV	3E	Freda Woods		WIGAN MBC FOA/A
A88	O	008	EV	3E	Daniel Gibson		WIGAN MBC FOA/A
A89	O	008	EV	3E	Roy Calder		WIGAN MBC FOA/A
A90	O	008	EV	3E	Mrs M Crossley		WIGAN MBC FOA/A
A91	O	008	EV	3E	Valerie Middleton		WIGAN MBC FOA/A
A92	O	008	EV	3E	Mrs H Harris		WIGAN MBC FOA/A
A93	O	008	EV	3E	M W Doyle		WIGAN MBC FOA/A
A94	O	006	EV	3E	Mr L Prescott		WIGAN MBC FOA/A
A95	O	008	EV	3E	W A Payne		WIGAN MBC FOA/A
A96	O	008	EV	3E	P J Huyton		WIGAN MBC FOA/A
A97	O	008	EV	3E	D A Payne		WIGAN MBC FOA/A
A98	O	008	EV	3E	Mrs Hilda Payne		WIGAN MBC FOA/A
A99	O	005	EV	3E	Lisa Greenhalgh		WIGAN MBC FOA/A
B03	O	007	EV	3E	D J Holden		WIGAN MBC FOA/A
B04	O	005	EV	3E	George Conway		WIGAN MBC FOA/A
B05	O	008	EV	3E	E Brash		WIGAN MBC FOA/A

B30	O	003	EV	3E	Mr Kinsella		WIGAN MBC FOA/A
B31	O	009	EV	3E	William E Coyle		WIGAN MBC FOA/A
B32	O	008	EV	3E	Kathleen Jones		WIGAN MBC FOA/A

Revised Deposit Objections Conditionally Withdrawn

Ref No	a	B	c	d	Name	Agent	Response Ref.
581	O	011	EV	3E	Wrightington, Wigan and Leigh NHS Trust	Michael Courcier and Partners Ltd	WMBC EV3E

Main Issue

Whether the RDD should contain a policy specifically to protect viewpoints.

Inspector's Considerations and Conclusions

9.104 The FDD contained policy EV3E which provided that development would not be permitted if it would block or damage views, vistas or visible features in the landscape which are considered to make a significant contribution to the character and sense of place of the Borough. It referred to FDD Appendix 9 which listed locations which were considered to be particularly important. Objectors argue that this policy is unreasonable and unduly prescriptive because it would create a presumption against any development which would block or damage a view. Others argue that it should not anticipate the grant of planning permission for development which would provide a new focal point or attractive feature in the landscape because this might detract from the established character of an area. An objector argues that a reference should be made to other relevant policies, including those relating to the green belt and safeguarded land. The plan is to be read as a whole, however, in conformity with the advice of PPG12 that development plans should be succinct.

9.105 Policy EV3E and Appendix 9 were deleted at RDD stage. This will satisfy the concerns of objectors to the FDD policy. Other objectors seek their reinstatement. I conclude that this is not necessary given the role of RDD policy EV3A(e) in requiring proposals for development to protect, through their design, both local and strategic views of landmarks and focal points. That latter policy, rather than being an equivalent replacement for policy EV3E, is an improvement upon it because, in addition to preventing harm to these factors, it promotes enhancement of them. The text of EV3E was also potentially misleading since, as an objector notes, it and Appendix 9 confused the concepts of viewpoints (i.e. locations from which a view is obtained) and landmarks (i.e. the objects in the landscape that are viewed). Policy EV3A(e) resolves this difficulty.

9.106 At FDD stage an objector had argued that policy EV3E should have protected only specific views, vistas or visible features and that these should be shown on the proposals map together with the directions and vantage points from which the important views are obtained. This would burden the plan with excessive detail, however, and give undue emphasis to this factor in relation to all others which are to be considered in relation to a particular development scheme.

Recommendation

I recommend:

(REC 9.29) that no modification be made to the RDD in response to these objections.

EV3F THE RIVER DOUGLAS, CANAL NETWORK AND OTHER WATER FEATURES

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
583	O	031	EV	3F	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR
682	O	015	EV	3F	English Nature		WMBC 682/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
727	S	019	EV	3F	Greater Manchester Ecology Unit		

Main Issues

Whether this policy is appropriate, having regard to:

- the biodiversity value of the water features;
- the need to secure the long term stability of the Bridgewater Canal.

Inspector's Considerations and Conclusions

The biodiversity value of the water features

9.107 Policy EV3F provides that the LPA will have regard to the potential of the canals, the River Douglas and other significant water features when evaluating development proposals which adjoin or affect them. In particular it will ensure that such development, by reason of its layout, external appearance and access arrangements, is sympathetic to the visual qualities of the area, its traditional waterside character and the wildlife value of its features.

9.108 An objector argues that policy EV3F should be strengthened to emphasise the biodiversity value of the water features. The UDP is to be read as a whole in conformity with the advice of PPG12 that development plans should be succinct. Policy EV2C provides for the protection of features of major importance for nature conservation. These include watercourse corridors, canals, lakes, reservoirs, ponds, lodges and reed-beds.

The need to secure the long term stability of the Bridgewater Canal

9.109 An objector notes that the long term stability of the Bridgewater Canal between Leigh and Worsley may be compromised by the effects of mining subsidence. He argues that a reference to this should be made in the reasoned justification to the policy. The works needed to secure the long term existence of a major water feature may have a bearing on the determination of a planning application which relates to it. If this is so, in a particular case, the particular circumstances and their implications for the use of land and/or the design and layout of a scheme will be material considerations to be taken into

account alongside the provisions of the UDP. There is, therefore, no need to make a generalised reference to this factor at plan-making stage.

Recommendation

I recommend:

(REC 9.30) that no modification be made to the RDD in response to these objections.

EV3G TELECOMMUNICATIONS DEVELOPMENT

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
008	O	001	EV	3G	Orange PCS Ltd	Adams Holmes Associates	WMBC 008/706 EV3G
572	O	023	EV	3G	Peter Sargeant FRTPI		WIGAN MBC 572/A
706	O	003	EV	3G	BT Plc	RPS Plc.	WMBC 008/706 EV3G

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
747	O	115	EV	3G	Wigan Borough Action Group		WIGAN MBC 747/A
747	O	116	EV	3G	Wigan Borough Action Group		WIGAN MBC 747/A

Note

This policy is subject to DINC18,

Main Issues

Whether this policy is appropriate, having regard to:

- the requirement that telecommunications masts be attached to an existing building or structure;
- the merits of siting telecommunications systems underground;
- the need for references to other sources of information;
- the protection of visual amenity.

Inspector's Considerations and Conclusions

The requirement that telecommunications masts be attached to an existing building or structure

9.110 Policy EV3G provides that, in considering proposals for telecommunications development, the LPA will have regard to stated factors. Equipment and structures must be sited and designed so as to minimise their visual impact. Telecommunications equipment will not be permitted if it would harm the character and appearance of specified sensitive structures or areas.

9.111 The FDD version of this policy in criterion (i) required that, in the case of telecommunications masts, wherever possible they should be attached to an existing building or structure. An objector argues that this should be conditional on this providing the optimum environmental solution. The LPA concurs and, at RDD stage, has introduced the qualification that this form of siting should be 'appropriate'.

9.112 An objector at RDD stage seeks the deletion of the word ‘appropriate’. There may, however, be particular cases where even though a mast could be attached to a building or structure this would not minimise its visual impact and a free-standing mast might be a better solution. I conclude that the RDD wording should be retained in order to allow the flexibility which would enable the best option to be selected in each case.

The merits of siting telecommunications systems underground

9.113 Criterion (ii) of the policy requires that, in large new developments, telecommunications systems must be sited underground. Objectors argue that radio signals cannot be transmitted underground. The policy is, of course, intended to apply to more than just mobile telephone technology. It includes conventional land line systems that can be provided underground. The LPA recognises the need for a change in policy wording to accommodate the characteristics of the different forms of telecommunications technology. Via DINC18 it proposes to add the words ‘when it is feasible to do so’ to the end of criterion (ii) and to the end of the final sentence of the first paragraph of the reasoned justification for the policy. If this was done it would satisfy the concerns of the objector.

The need for references to other sources of information

9.114 An objector contends that the policy would operate more effectively if the plan contained lists of conservation areas, listed buildings and buildings of local interest. The boundaries of conservation areas are shown on the proposals map. Listed buildings are identified in statutory lists which are available for public inspection. Lists of all buildings and structures of local architectural or historic interest which have been identified to date are presented in RDD Appendix 10. The LPA has confirmed its intention to extend this latter list as necessary and publish it as supplementary planning guidance. This up-dated version would be incorporated in the development plan at the next plan review. I conclude that the usefulness of policy EV3G is not materially reduced by the need to consult documents other than the UDP.

The protection of visual amenity

9.115 Criterion (iii) requires that wall mounted dishes and apparatus must be placed in the least obtrusive position possible when viewed from the street. An objector argues that it is too restrictive to consider the appearance of development from the street alone. A development in view from the street may be avoiding intrusion into a more sensitive location. These other locations are, however, already protected by the penultimate paragraph of the policy.

9.116 Criterion (iv) requires that dishes and antennae are, wherever possible, placed below the highest part of the roof of a building. An objector considers this to be unreasonable because radio signals need a clear line of sight. The criterion is, however, qualified by the words ‘wherever possible’. This allows the scope for judgement in a particular case.

9.117 The penultimate section of the policy provides that telecommunications equipment will not be permitted where it would harm the character and appearance of stated features. An objector argues that the policy should define what constitutes harm to the character and appearance of these. The plan is to be read as a whole. This matter is dealt with in RDD policies EV4A, EV4B, EV4C and EV4E.

9.118 The third paragraph of the reasoned justification to policy EV3G informs that in areas where there is special concern for, or designation to protect, visual amenity or heritage resources, the Council will apply more stringent control over the siting and design of telecommunications installations. An objector argues that these areas should be defined. The LPA confirms that these areas are those listed in the penultimate paragraph of the policy. In the interest of clarity I conclude that this should be confirmed in the reasoned justification.

Recommendation

I recommend:

(REC 9.31) that the RDD be modified by the addition of the words ‘when it is feasible to do so’ to the end of criterion (ii) of policy EV3G and to the end of the final sentence of the first paragraph of the reasoned justification for the policy in accordance with DINC18.

(REC 9.32) that the RDD be modified by the insertion of wording, within brackets, in the third paragraph of the reasoned justification to policy EV3G between the words ‘resources’ and ‘the Council’ as follows: ‘(as set out in the penultimate paragraph of the policy)’.

(REC 9.33) that no other modification be made to the RDD in response to these objections.

EV3H PUBLIC ART

Objections to Draft Deposit

Ref No	a	B	c	d	Name	Agent	Response Ref.
583	O	017	EV	3H	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR

Main Issue

Whether this policy is appropriate, having regard to the extent to which the need for public art arises directly from the development.

Inspector's Considerations and Conclusions

9.119 Policy EV3H provides that the LPA will expect, in appropriate cases, the provision of new works of art, craft or decoration as part of development proposals. An objector argues that this requirement is too onerous and that the policy should be limited to encouraging such provision. This would, however, remove its utility for development control purposes. The policy is qualified by the provision that it will be applied only in appropriate cases. Neither the policy nor its reasoned justification gives guidance on what these are.

9.120 Circular 05/2005: 'Planning Obligations' (paragraph B9) advises that planning obligations should not be used solely to resolve existing deficiencies. The scope of Planning Obligations is set out in policy G1B. The reasoned justification to that policy draws attention to the advice of the now superseded Circular 1/97 (now Circular 05/2005) in this regard. The plan is to be read as a whole. Both policies EV3H and G1B would be referred to as relevant by decision makers. These, together with Circular 05/2005, would secure a reasoned decision on what are the 'appropriate cases'.

Recommendation

I recommend:

(REC 9.34) that no modification be made to the RDD in response to this objection.