

EV2 NATURE CONSERVATION

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref
220	O	006	EV	2	Mrs E Ainscough		WMBC 220
381	O	003	EV	2	Greater Manchester Bird Recording Group Recorder		WMBC 381
437	O	008	EV	2	NWTB	Paul Butler Associates	WMBC 437
561	O	005	EV	2	Gibfield Park Group Ltd	Atkins Planning Consultants	WMBC 561
697	O	004	EV	2	Viridor Waste Management Ltd		WMBC 697

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref
682	O	008	EV	2	English Nature		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref
561	O	006	EV	2	Gibfield Park Group Limited	Atkins Planning Consultants	WMBC 561

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref
381	S	006	EV	2	Greater Manchester Bird Recording Group Recorder		
421	S	006	EV	2	Mrs E M Stephenson		
705	S	004	EV	2	Mrs Gail Patricia Robb		
727	S	012	EV	2	Greater Manchester Ecology Unit		

Supporters of Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref
682	S	029	EV	2	English Nature		
727	S	031	EV	2	Greater Manchester Ecology Unit		

Note

The matters raised by objection 220/006 are dealt with in the section of this report which relates to policy GB1.

The matters raised by objection 437/008 are dealt with in the section of this report which relates to policy EV1.

The matters raised by objection 561/006 are dealt with in the section of this report which relates to policy EV2B.

Main Issues

Whether this policy is appropriate, having regard to:

- the role of development plans in relation to alien fauna and flora;
- the role of national planning policy guidance;
- the relative significance of national and local conservation designations;
- the relevance of mitigation measures.

Inspector's Considerations and Conclusions

The role of development plans in relation to alien fauna and flora

9.22 Policy EV2 provides that the LPA will protect and enhance the natural environment and biodiversity by a number of stated methods. An objector argues that the UDP should, via its policies, adopt a pro-active approach to the elimination of alien fauna and flora which have been introduced to the United Kingdom. PPG12 (paragraph 3.14) advises, however, that policies in development plans should concentrate on those matters which are likely to form the basis for considering planning applications or for determining conditions to be attached to planning permissions. The control of alien species is an aspect of land management rather than the development and use of land. It would not, therefore, be appropriate for the UDP to incorporate such measures.

The role of national planning policy guidance

9.23 Clause 'A' of policy EV2 provides that development will not be permitted if it is on various specified designations or close enough to adversely affect them. An objector argues that policy EV2 should not seek to prohibit all development which has the potential to have an adverse impact on a site of nature conservation value. PPG9 (paragraph 27) advises that nature conservation can be a significant material consideration in determining many planning applications. LPAs should not, however, refuse permission if development can be subject to conditions that will prevent damaging impact on wildlife habitats or important physical features or if other material considerations are sufficient to override nature conservation matters. In the interests of conformity with the Government's planning policy guidance this qualification should be incorporated in the policy text.

The relative significance of national and local nature conservation designations

9.24 An objector at FDD stage argues that local nature conservation designations should not be given the same weight as national designations. The LPA concurs and, in conformity with the advice of PPG9 (paragraph 18) has, at RDD stage, added text to the first paragraph of the reasoned justification to policy EV2B to confirm this. I conclude that the wording of this conforms with PPG9 and satisfies the objector's concerns. The same objector argues that the references made to Sites of Biological Importance in policies EV2 and EV2B should be brought together into a single policy devoted to that

one designation. It is, however, in accordance with the advice of PPG12, important to distinguish between the Part 1 policies (e.g. EV2) and the Part 2 policies (e.g. EV2B). The understanding of the policies is not, in any case, reduced by the RDD structure which refers to various designations within the same policy.

The relevance of mitigation measures

9.25 An objector argues that policy EV2 should make reference to the scope for mitigation measures, either within a Site of Biological Importance (SBI) or off-site, to avoid demonstrable harm to nature conservation interests and allow development to proceed in or adjacent to such areas. The plan is to be read as a whole. Policy EV2B confirms that, when deciding whether to grant planning permission on or close to various nature conservation designations, including SBIs, it will give consideration to the improvement and enhancement of other sites of actual or potential wildlife value.

Recommendation

I recommend:

(REC 9.9) that the RDD be modified by the deletion of clause ‘A’ of policy EV2 and its replacement as follows. ‘Development on, or close enough to adversely affect, special areas of conservation, sites of special scientific interest, sites of biological importance, local nature reserves or other sites of nature conservation value will not be permitted unless permission can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if other material considerations are sufficient to override these’.

(REC 9.10) that no other modification be made to the RDD in response to these objections.

EV2A SPECIAL AREAS OF CONSERVATION

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
456	O	004	EV	2A	Salford City Council		WMBC 456

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
421	S	007	EV	2A	Mrs E M Stephenson		
682	S	009	EV	2A	English Nature		
727	S	013	EV	2A	Greater Manchester Ecology Unit		

Main Issue

Whether this policy is appropriate, having regard to the need to secure consistency with an adjacent LPA.

Inspector's Considerations and Conclusions

9.26 Policy EV2A provides that proposals for development which affect a Special Area of Conservation (SAC) or a Candidate Special Area of Conservation will be subject to the most rigorous examination. The reasoned justification to this policy informs that the Astley and Bedford Mosses, which are situated at the eastern end of the Borough, are part of the Manchester Mosses Candidate SAC. An objector argues that the UDP should acknowledge the reasons for the importance of these mossland areas and notes the absence of a strategic policy for mosslands which would complement that in the area of Salford Borough.

9.27 The UDP proposals map confirms that the area to which policy EV2A (and also policies EV2B and EV2C [in respect of mosslands]) applies in the vicinity of the Astley and Bedford mosses is also subject to policy MW1D. This latter policy provides that permission will not be granted for peat extraction on the remaining fragments of Remnant Mossland as shown on the proposals map. The related reasoned justification informs that the sites which are defined on the proposals map in respect of policy MW1D comprise the remaining areas of semi-natural, uncultivated moss of high wildlife value in the Borough.

9.28 Read as a whole, therefore, the RDD both confirms the importance of these mosslands for wildlife and protects them from development. In doing so it secures the long term retention of these features in proximity to comparable areas in the adjacent City of Salford, thereby supporting that authority's concept of a Mossland Heartland. Read together these policies comprise the complementary approach that the objector seeks.

Recommendation

I recommend:

(REC 9.11) that no modification be made to the RDD in response to this objection.

EV2B SITES OF SPECIAL SCIENTIFIC INTEREST, SITES OF BIOLOGICAL IMPORTANCE AND LOCAL NATURE RESERVES

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
053	O	001	EV	2B	Mr A.M. Hurst		WMBC EV2B
090	O	002	EV	2B	Karin Dagnall and Keith Dagnall		WMBC EV2B
152	O	001	EV	2B	Mr Damian and Mrs Karen Keegan		WMBC EV2B
154	O	001	EV	2B	Leigh Ornithological Society		WMBC EV2B
220	O	002	EV	2B	Mrs E Ainscough		WMBC 220
300	O	002	EV	2B	Mr and Mrs Kibbler		WMBC EV2B
398	O	001	EV	2B	Linda Hampson		WMBC 398/EV2B
424	O	017	EV	2B	Government Office for the North West		WMBC 424 GONW
456	O	005	EV	2B	Salford City Council		WMBC 456
572	O	019	EV	2B	Peter Sargeant FRTPi		WIGAN MBC 572/A
572	O	055	EV	2B	Peter Sargeant FRTPi		WIGAN MBC 572/A
580	O	002	EV	2B	Arrowcroft Northwest		WMBC 580 EM/EV
583	O	014	EV	2B	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR
682	O	010	EV	2B	English Nature		WMBC 682/A
685	O	003	EV	2B	Wainhomes North West Ltd	Emery Planning Partnership	WMBC 685/B
685	O	004	EV	2B	Wainhomes North West Ltd	Emery Planning Partnership	WMBC 685/B
685	O	008	EV	2B	Wainhomes North West Ltd	Emery Planning Partnership	WMBC 685/B
697	O	005	EV	2B	Viridor Waste Management Ltd		WMBC 697
726	O	005	EV	2B	United Utilities Facilities and Property Services		WMBC 726/A
726	O	009	EV	2B	United Utilities Facilities and Property Services		WMBC 726/A
726	O	013	EV	2B	United Utilities Facilities and Property Services		WMBC 726/A
726	O	018	EV	2B	United Utilities Facilities and Property Services		WMBC 726/A

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Responses Ref.
488	O	001	EV	2B	Leigh Ornithological Society		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
024	O	015	EV	2B	Mrs M E Fairhurst		WIGAN MBC FOA/A
025	O	005	EV	2B	Philip Fairhurst		WIGAN MBC FOA/A
033	O	008	EV	2B	Miss Winifred Beesley		WIGAN MBC FOA/A
049	O	008	EV	2B	Linda Hickey		WIGAN MBC FOA/A

050	O	008	EV	2B	Robert Hickey		WIGAN MBC FOA/A
053	O	002	EV	2B	Adrian Hurst		WMBC 053 EV
055	O	008	EV	2B	Mrs M Iredale		WIGAN MBC FOA/A
060	O	002	EV	2B	Katherine Marsland and Anthony		WIGAN MBC FOA/A
060	O	005	EV	2B	Anthony Connell		WIGAN MBC FOA/A
060	O	024	EV	2B	Katherine Marsland		WIGAN MBC FOA/A
086	O	008	EV	2B	Susan Melling		WIGAN MBC FOA/A
087	O	008	EV	2B	B Hughes		WIGAN MBC FOA/A
089	O	008	EV	2B	Ms Margaret Dean		WIGAN MBC FOA/A
090	O	003	EV	2B	Karin & Keith Dagnall		WIGAN MBC FOA/A
091	O	014	EV	2B	W Malcolm Cook		WIGAN MBC FOA/A
097	O	010	EV	2B	Mrs K Lees		WIGAN MBC FOA/A
099	O	006	EV	2B	Mr G E Forster		WIGAN MBC FOA/A
100	O	003	EV	2B	Margaret Brooks		WIGAN MBC FOA/A
100	O	017	EV	2B	Margaret Brooks		WIGAN MBC FOA/A
101	O	017	EV	2B	William Brooks		WIGAN MBC FOA/A
114	O	013	EV	2B	Joan Atherton		WIGAN MBC FOA/A
148	O	002	EV	2B	Alan Stephenson		WIGAN MBC FOA/A
158	O	002	EV	2B	Jack and Dorothy Delaney		WIGAN MBC FOA/A
160	O	001	EV	2B	Amelia Ellen Lavin		WIGAN MBC FOA/A
160	O	008	EV	2B	Amelia Ellen Lavin		WIGAN MBC FOA/A
161	O	006	EV	2B	T Brennan		WIGAN MBC FOA/A
166	O	008	EV	2B	Mr Jack Delaney		WIGAN MBC FOA/A
172	O	008	EV	2B	Gary Crossley		WIGAN MBC FOA/A
172	O	024	EV	2B	Julie Crossley		WIGAN MBC FOA/A
174	O	007	EV	2B	Miss B McKenna		WIGAN MBC FOA/A
177	O	003	EV	2B	Mr D Foster		WIGAN MBC FOA/A
184	O	008	EV	2B	E M Chadwick		WIGAN MBC FOA/A
188	O	005	EV	2B	Josephine Mary Fleming		WIGAN MBC FOA/A
189	O	008	EV	2B	Miss M Topping		WIGAN MBC FOA/A
190	O	008	EV	2B	Sarbari Mukherjee		WIGAN MBC FOA/A
194	O	012	EV	2B	Lillian Corcoran		WIGAN MBC FOA/A
198	O	008	EV	2B	Mrs Kay Pooke		WIGAN MBC FOA/A
219	O	012	EV	2B	Mrs M P Anten		WIGAN MBC FOA/A
221	O	011	EV	2B	Westbury Homes Ltd	Broadway Malyan	WIGAN MBC FOA/A
248	O	008	EV	2B	John E Middleton		WIGAN MBC FOA/A
251	O	014	EV	2B	Val Middleton		WIGAN MBC FOA/A
291	O	006	EV	2B	Lancashire Wildlife Trust		WIGAN MBC FOA/A
293	O	007	EV	2B	A Hamilton		WIGAN MBC FOA/A
295	O	008	EV	2B	P D Hamilton		WIGAN MBC FOA/A
297	O	013	EV	2B	Raymond Sharples		WIGAN MBC FOA/A
300	O	003	EV	2B	Mr J & Mrs S Kibbler		WIGAN MBC FOA/A
303	O	012	EV	2B	Christine A Jones		WIGAN MBC FOA/A
304	O	015	EV	2B	J S Arkwright		WIGAN MBC FOA/A
308	O	004	EV	2B	M Boardman		WIGAN MBC FOA/A
311	O	006	EV	2B	Bernard Shaw		WIGAN MBC FOA/A
312	O	002	EV	2B	Mary F Shaw		WIGAN MBC FOA/A

314	O	008	EV	2B	Mrs M MacDonald		WIGAN MBC FOA/A
317	O	013	EV	2B	J G Ellison		WIGAN MBC FOA/A
318	O	008	EV	2B	Mr G Daniels		WIGAN MBC FOA/A
319	O	008	EV	2B	Mrs M H Hughes		WIGAN MBC FOA/A
322	O	008	EV	2B	Archibald Smith Tate		WIGAN MBC FOA/A
323	O	008	EV	2B	Norman Edward Rusk		WIGAN MBC FOA/A
325	O	008	EV	2B	Mr John Steele		WIGAN MBC FOA/A
326	O	008	EV	2B	Mrs Janet Steele		WIGAN MBC FOA/A
326	O	018	EV	2B	Mrs Janet Steele		WIGAN MBC FOA/A
327	O	008	EV	2B	Neina Woodward		WIGAN MBC FOA/A
328	O	016	EV	2B	Mr A Woodward		WIGAN MBC FOA/A
330	O	008	EV	2B	William Glover		WIGAN MBC FOA/A
332	O	014	EV	2B	David Catterall		WIGAN MBC FOA/A
333	O	006	EV	2B	Geoffrey Powell		WIGAN MBC FOA/A
335	O	009	EV	2B	J F Kearsley		WIGAN MBC FOA/A
339	O	006	EV	2B	Kathryn Pennington		WIGAN MBC FOA/A
381	O	002	EV	2B	GM Bird Recording Group		WMBC 381
407	O	006	EV	2B	Adele Wilkes		WIGAN MBC FOA/A
408	O	010	EV	2B	Gary Wilkes		WIGAN MBC FOA/A
421	O	016	EV	2B	Mrs E M Stephenson		WMBC 421/A
435	O	008	EV	2B	Gordon Catterall		WIGAN MBC FOA/A
436	O	008	EV	2B	Mrs E Johnson		WIGAN MBC FOA/A
446	O	008	EV	2B	C Hilton-Carroll		WIGAN MBC FOA/A
450	O	008	EV	2B	Andre Philip Richard Gorner		WIGAN MBC FOA/A
461	O	010	EV	2B	Ethel Glover		WIGAN MBC FOA/A
493	O	011	EV	2B	William Lovell Verinder		WIGAN MBC FOA/A
494	O	010	EV	2B	Julie L Harrison		WIGAN MBC FOA/A
505	O	008	EV	2B	Mrs C Daington		WIGAN MBC FOA/A
533	O	013	EV	2B	Mrs E A Carter		WIGAN MBC FOA/A
548	O	015	EV	2B	Mrs Sylvia Marion Stitt		WIGAN MBC FOA/A
550	O	005	EV	2B	Belinda Croston		WIGAN MBC FOA/A
572	O	094	EV	2B	Peter Sargeant FRTPI		WIGAN MBC 572/A
573	O	008	EV	2B	Mr A Eaves		WIGAN MBC FOA/A
574	O	008	EV	2B	John Murphy		WIGAN MBC FOA/A
591	O	005	EV	2B	Mr John Makin		WIGAN MBC FOA/A
682	O	030	EV	2B	English Nature		WMBC 682/A
727	O	032	EV	2B	Greater Manchester Ecology Unit		WMBC 727/A
745	O	001	EV	2B	Mr K Fairhurst		WIGAN MBC FOA/A
747	O	122	EV	2B	Wigan Borough Action Group		WIGAN MBC 747/A
748	O	001	EV	2B	H. Paul		WIGAN MBC FOA/A
749	O	001	EV	2B	Andrew N Butler		WIGAN MBC FOA/A
750	O	001	EV	2B	Jonathan Bland		WIGAN MBC FOA/A
751	O	001	EV	2B	Stephen Sherrington		WIGAN MBC FOA/A
752	O	001	EV	2B	Mr Les Owen		WIGAN MBC FOA/A
753	O	001	EV	2B	Mr Frank O'Driscoll		WIGAN MBC FOA/A
754	O	001	EV	2B	George Conway		WIGAN MBC FOA/A
755	O	001	EV	2B	Malcolm Robert Brown		WIGAN MBC FOA/A

756	O	001	EV	2B	Julia Ramsdale		WIGAN MBC FOA/A
759	O	001	EV	2B	Karen Keegan		WIGAN MBC FOA/A
760	O	001	EV	2B	Mr J K Sutton		WIGAN MBC FOA/A
764	O	001	EV	2B	Deanne & Karl Gruhn		WIGAN MBC FOA/A
766	O	001	EV	2B	Gerard Patrick Fitzmaurice		WIGAN MBC FOA/A
767	O	001	EV	2B	Mr V A Strange		WIGAN MBC FOA/A
771	O	001	EV	2B	Robert & Elizabeth Frodsham		WIGAN MBC FOA/A
772	O	001	EV	2B	J A Langtree		WIGAN MBC FOA/A
773	O	001	EV	2B	Mr & Mrs D & S Hamlett		WIGAN MBC FOA/A
774	O	001	EV	2B	Mrs E J Clarence		WIGAN MBC FOA/A
788	O	001	EV	2B	B Hughes		WIGAN MBC FOA/A
789	O	001	EV	2B	Mr & Mrs T Rose		WIGAN MBC FOA/A
790	O	001	EV	2B	Mr M O & Mrs B Jones		WIGAN MBC FOA/A
795	O	001	EV	2B	Mr K G Hayes		WIGAN MBC FOA/A
797	O	001	EV	2B	Kathleen Mary Potter		WIGAN MBC FOA/A
803	O	001	EV	2B	David John Gallagher		WIGAN MBC FOA/A
804	O	001	EV	2B	Alan Winstanley		WIGAN MBC FOA/A
805	O	001	EV	2B	Mr and Mrs H Crompton		WIGAN MBC FOA/A
807	O	001	EV	2B	Mr R Hughes		WIGAN MBC FOA/A
810	O	019	EV	2B	Mr A Sherman		WIGAN MBC FOA/A
813	O	001	EV	2B	Mr and Mrs C M Darbyshire		WIGAN MBC FOA/A
814	O	001	EV	2B	Mr W L Merrick		WIGAN MBC FOA/A
828	O	007	EV	2B	Dorothy Arkwright		WIGAN MBC FOA/A
829	O	001	EV	2B	E McDonald		WIGAN MBC FOA/A
830	O	005	EV	2B	C Murnan		WIGAN MBC FOA/A
831	O	013	EV	2B	Les Jones		WIGAN MBC FOA/A
833	O	005	EV	2B	S Murphy		WIGAN MBC FOA/A
834	O	005	EV	2B	C Murphy		WIGAN MBC FOA/A
835	O	005	EV	2B	P Murphy		WIGAN MBC FOA/A
836	O	006	EV	2B	Mr C L Pooke		WIGAN MBC FOA/A
837	O	015	EV	2B	Mrs S Whitfield		WIGAN MBC FOA/A
838	O	002	EV	2B	Rachel Webster		WIGAN MBC FOA/A
839	O	005	EV	2B	Gary Oakes		WIGAN MBC FOA/A
840	O	005	EV	2B	Mrs J Sherman		WIGAN MBC FOA/A
843	O	001	EV	2B	Mr G M Jones		WIGAN MBC FOA/A
844	O	001	EV	2B	Mr and Mrs G Rigby		WIGAN MBC FOA/A
845	O	001	EV	2B	Mr & Mrs R Peppitt		WIGAN MBC FOA/A
846	O	001	EV	2B	Evelyn Elsie Foster		WIGAN MBC FOA/A
847	O	001	EV	2B	Mr I Jones		WIGAN MBC FOA/A
849	O	001	EV	2B	A Walker		WIGAN MBC FOA/A
857	O	001	EV	2B	J A Watkinson		WIGAN MBC FOA/A
875	O	001	EV	2B	Suzanne Byron		WIGAN MBC FOA/A
876	O	001	EV	2B	Mr R G Bradshaw		WIGAN MBC FOA/A
878	O	001	EV	2B	Mr L Crompton and Miss K Cunliffe		WIGAN MBC FOA/A
879	O	001	EV	2B	Jill E Jones		WIGAN MBC FOA/A
886	O	001	EV	2B	Gillian Dean		WIGAN MBC FOA/A
887	O	003	EV	2B	Mr Charles Christopherson		WIGAN MBC FOA/A

888	O	015	EV	2B	W A Sefton		WIGAN MBC FOA/A
889	O	003	EV	2B	W Boardman		WIGAN MBC FOA/A
890	O	013	EV	2B	Mrs Edith Sefton		WIGAN MBC FOA/A
891	O	003	EV	2B	Mrs Speed		WIGAN MBC FOA/A
892	O	008	EV	2B	Adrian Hughes		WIGAN MBC FOA/A
893	O	007	EV	2B	Mrs M J Rusk		WIGAN MBC FOA/A
894	O	003	EV	2B	Mr John Wilkieson		WIGAN MBC FOA/A
895	O	004	EV	2B	Mrs T Quinn		WIGAN MBC FOA/A
896	O	007	EV	2B	David Tinsley		WIGAN MBC FOA/A
897	O	007	EV	2B	Janet Marjorie Tate		WIGAN MBC FOA/A
898	O	007	EV	2B	Miss T Topping		WIGAN MBC FOA/A
899	O	012	EV	2B	Betty Prescott		WIGAN MBC FOA/A
900	O	012	EV	2B	Mrs J Lodge		WIGAN MBC FOA/A
901	O	003	EV	2B	Alison Hurst		WIGAN MBC FOA/A
902	O	016	EV	2B	S V Lang		WIGAN MBC FOA/A
903	O	011	EV	2B	J A Harrison		WIGAN MBC FOA/A
904	O	016	EV	2B	Dr A M Mukherjee		WIGAN MBC FOA/A
905	O	011	EV	2B	Mrs H J Hughes		WIGAN MBC FOA/A
906	O	007	EV	2B	Frank Stringfellow		WIGAN MBC FOA/A
907	O	007	EV	2B	Ida Rylance		WIGAN MBC FOA/A
908	O	007	EV	2B	William J Rylance		WIGAN MBC FOA/A
909	O	007	EV	2B	J Butcher		WIGAN MBC FOA/A
910	O	007	EV	2B	Mrs Kathleen F Brown		WIGAN MBC FOA/A
911	O	007	EV	2B	D Ball		WIGAN MBC FOA/A
912	O	007	EV	2B	Mr R Banks		WIGAN MBC FOA/A
913	O	007	EV	2B	J Houghton		WIGAN MBC FOA/A
914	O	007	EV	2B	C Macdonald		WIGAN MBC FOA/A
915	O	001	EV	2B	Jacqueline Sheehan		WIGAN MBC FOA/A
916	O	008	EV	2B	Maureen Smith		WIGAN MBC FOA/A
917	O	015	EV	2B	Mrs P A Tushingham		WIGAN MBC FOA/A
918	O	012	EV	2B	Gladys Wilkes		WIGAN MBC FOA/A
919	O	012	EV	2B	P A Waldron		WIGAN MBC FOA/A
920	O	007	EV	2B	Mr R G Bradshaw		WIGAN MBC FOA/A
921	O	010	EV	2B	D Ellison		WIGAN MBC FOA/A
922	O	007	EV	2B	Richard Andrew Corless		WIGAN MBC FOA/A
923	O	008	EV	2B	Jeffrey Cook		WIGAN MBC FOA/A
924	O	004	EV	2B	Maureen Corless		WIGAN MBC FOA/A
925	O	012	EV	2B	I Cotham		WIGAN MBC FOA/A
926	O	007	EV	2B	Margaret Catterall		WIGAN MBC FOA/A
927	O	003	EV	2B	Vincent Corcoran		WIGAN MBC FOA/A
928	O	008	EV	2B	Philip Holt		WIGAN MBC FOA/A
929	O	001	EV	2B	A Horton		WIGAN MBC FOA/A
930	O	013	EV	2B	Mr A J Horton		WIGAN MBC FOA/A
931	O	007	EV	2B	C P Simpson		WIGAN MBC FOA/A
932	O	007	EV	2B	G Brash		WIGAN MBC FOA/A
933	O	007	EV	2B	Bernard H Shorrocks		WIGAN MBC FOA/A
934	O	007	EV	2B	Brenda Ryan		WIGAN MBC FOA/A

935	O	007	EV	2B	Mrs K Marsh		WIGAN MBC FOA/A
936	O	007	EV	2B	Mrs A Cordell		WIGAN MBC FOA/A
937	O	007	EV	2B	F Murtagh		WIGAN MBC FOA/A
938	O	007	EV	2B	Mrs Vivien Rigby		WIGAN MBC FOA/A
939	O	012	EV	2B	Doreen Sharples		WIGAN MBC FOA/A
940	O	007	EV	2B	David Pennington		WIGAN MBC FOA/A
941	O	008	EV	2B	Mrs J Tushingam		WIGAN MBC FOA/A
942	O	005	EV	2B	Mr A Tushingam		WIGAN MBC FOA/A
943	O	013	EV	2B	Marilyn Riding		WIGAN MBC FOA/A
944	O	007	EV	2B	Edward Ryan		WIGAN MBC FOA/A
945	O	007	EV	2B	Ann Gorner		WIGAN MBC FOA/A
946	O	007	EV	2B	Ben Daniel Gorner		WIGAN MBC FOA/A
947	O	007	EV	2B	Gabrielle Maria Gorner		WIGAN MBC FOA/A
948	O	006	EV	2B	Sheila Jones		WIGAN MBC FOA/A
949	O	004	EV	2B	Gary W Jones		WIGAN MBC FOA/A
950	O	009	EV	2B	Allan Jones		WIGAN MBC FOA/A
951	O	007	EV	2B	Mr Michael W Kelly		WIGAN MBC FOA/A
952	O	004	EV	2B	Mrs V Kelly		WIGAN MBC FOA/A
953	O	001	EV	2B	J A Pendlebury		WIGAN MBC FOA/A
954	O	014	EV	2B	P J Pendlebury		WIGAN MBC FOA/A
955	O	003	EV	2B	S Leonard		WIGAN MBC FOA/A
956	O	010	EV	2B	Harry Millington		WIGAN MBC FOA/A
957	O	002	EV	2B	Patricia A Donnelly		WIGAN MBC FOA/A
958	O	004	EV	2B	Mary E Shorrocks		WIGAN MBC FOA/A
959	O	015	EV	2B	Mrs Heather Williams		WIGAN MBC FOA/A
960	O	015	EV	2B	Mrs P A Grimshaw		WIGAN MBC FOA/A
961	O	003	EV	2B	Mrs Doreen Glover		WIGAN MBC FOA/A
962	O	006	EV	2B	Teresa Garland		WIGAN MBC FOA/A
963	O	001	EV	2B	Karen Gibson		WIGAN MBC FOA/A
964	O	009	EV	2B	A Pennington		WIGAN MBC FOA/A
965	O	004	EV	2B	F Heaton		WIGAN MBC FOA/A
966	O	009	EV	2B	Eileen Critchley		WIGAN MBC FOA/A
967	O	007	EV	2B	Mrs Eryl Cross		WIGAN MBC FOA/A
968	O	008	EV	2B	Roger K Dandridge		WIGAN MBC FOA/A
969	O	010	EV	2B	R J Brown		WIGAN MBC FOA/A
970	O	006	EV	2B	Norah Bradshaw		WIGAN MBC FOA/A
971	O	015	EV	2B	Mrs K Birkett		WIGAN MBC FOA/A
972	O	008	EV	2B	Debbie Gaynor		WIGAN MBC FOA/A
973	O	004	EV	2B	Margaret Cook		WIGAN MBC FOA/A
974	O	001	EV	2B	Mrs P M Forster		WIGAN MBC FOA/A
975	O	009	EV	2B	Mrs Edna Brown		WIGAN MBC FOA/A
976	O	014	EV	2B	Mrs T Wood		WIGAN MBC FOA/A
977	O	003	EV	2B	Anne Maliczewski		WIGAN MBC FOA/A
978	O	008	EV	2B	Mr J W Fleming		WIGAN MBC FOA/A
979	O	014	EV	2B	Mr Stanley L Brown		WIGAN MBC FOA/A
980	O	013	EV	2B	Jean Haddock		WIGAN MBC FOA/A
981	O	010	EV	2B	A M Catterall		WIGAN MBC FOA/A

982	O	010	EV	2B	Mrs Kinsella		WIGAN MBC FOA/A
983	O	003	EV	2B	Mrs Sheila Majakari		WIGAN MBC FOA/A
984	O	015	EV	2B	D Glover		WIGAN MBC FOA/A
985	O	012	EV	2B	W MacDonald		WIGAN MBC FOA/A
986	O	007	EV	2B	Joan Quick		WIGAN MBC FOA/A
987	O	007	EV	2B	Anthony Quick		WIGAN MBC FOA/A
988	O	007	EV	2B	Miss A L Prescott		WIGAN MBC FOA/A
989	O	007	EV	2B	Mrs B Prescott		WIGAN MBC FOA/A
990	O	007	EV	2B	Barbara Parkinson		WIGAN MBC FOA/A
991	O	007	EV	2B	Marian Ochwat		WIGAN MBC FOA/A
992	O	007	EV	2B	Stefan Ochwat		WIGAN MBC FOA/A
993	O	008	EV	2B	George Swindell		WIGAN MBC FOA/A
994	O	007	EV	2B	Hazel Lousie Gerner		WIGAN MBC FOA/A
995	O	007	EV	2B	Andrew Gaynor		WIGAN MBC FOA/A
996	O	006	EV	2B	Patricia M Shannon		WIGAN MBC FOA/A
997	O	007	EV	2B	Dinah Middleton		WIGAN MBC FOA/A
998	O	007	EV	2B	J Fairhurst		WIGAN MBC FOA/A
999	O	007	EV	2B	T Doyle		WIGAN MBC FOA/A
A01	O	007	EV	2B	Anna Louise Calder		WIGAN MBC FOA/A
A02	O	007	EV	2B	Peter Cains Butchers		WIGAN MBC FOA/A
A03	O	007	EV	2B	Linda Croston		WIGAN MBC FOA/A
A04	O	007	EV	2B	Jane Moore		WIGAN MBC FOA/A
A05	O	007	EV	2B	Friends of Ashton		WIGAN MBC A05/A
A06	O	007	EV	2B	Mrs Hilary Davies		WIGAN MBC FOA/A
A07	O	007	EV	2B	Paula Jayne Green		WIGAN MBC FOA/A
A08	O	007	EV	2B	Joseph Garland		WIGAN MBC FOA/A
A09	O	007	EV	2B	Mr James Crook		WIGAN MBC FOA/A
A10	O	007	EV	2B	Mr John Crook		WIGAN MBC FOA/A
A11	O	007	EV	2B	B Carney		WIGAN MBC FOA/A
A12	O	007	EV	2B	Frank Brown		WIGAN MBC FOA/A
A13	O	007	EV	2B	Mr J Bentham		WIGAN MBC FOA/A
A14	O	007	EV	2B	M Withington		WIGAN MBC FOA/A
A15	O	007	EV	2B	Helen Whalley		WIGAN MBC FOA/A
A16	O	007	EV	2B	William James Wilkes		WIGAN MBC FOA/A
A17	O	007	EV	2B	Joanne Young		WIGAN MBC FOA/A
A18	O	007	EV	2B	John G Bradshaw		WIGAN MBC FOA/A
A19	O	007	EV	2B	G Sheedy		WIGAN MBC FOA/A
A20	O	007	EV	2B	Jayne Johnson		WIGAN MBC FOA/A
A21	O	007	EV	2B	Mrs I B Eaves		WIGAN MBC FOA/A
A22	O	007	EV	2B	Greta Kearsley		WIGAN MBC FOA/A
A23	O	007	EV	2B	Margaret Thompson		WIGAN MBC FOA/A
A24	O	007	EV	2B	Richard Prescott		WIGAN MBC FOA/A
A25	O	007	EV	2B	John Melling		WIGAN MBC FOA/A
A26	O	007	EV	2B	Yvonne Harrison		WIGAN MBC FOA/A
A27	O	007	EV	2B	I R Clarence		WIGAN MBC FOA/A
A28	O	007	EV	2B	Mr P Majakari		WIGAN MBC FOA/A
A29	O	007	EV	2B	Brenda Edwards		WIGAN MBC FOA/A

A30	O	007	EV	2B	Alan Edwards		WIGAN MBC FOA/A
A31	O	007	EV	2B	Mrs M McKechnie		WIGAN MBC FOA/A
A32	O	007	EV	2B	Alan Hurst		WIGAN MBC FOA/A
A33	O	007	EV	2B	Thomas Hughes		WIGAN MBC FOA/A
A34	O	007	EV	2B	K Hilton		WIGAN MBC FOA/A
A35	O	007	EV	2B	Albert Atherton		WIGAN MBC FOA/A
A36	O	007	EV	2B	Julia Allen		WIGAN MBC FOA/A
A37	O	004	EV	2B	B Potter		WIGAN MBC FOA/A
A38	O	014	EV	2B	Mrs K W Parker		WIGAN MBC FOA/A
A39	O	007	EV	2B	Barbara Hodgkinson		WIGAN MBC FOA/A
A40	O	009	EV	2B	F W Appleton		WIGAN MBC FOA/A
A41	O	016	EV	2B	Alastair Stitt		WIGAN MBC FOA/A
A42	O	011	EV	2B	Ian Campbell		WIGAN MBC FOA/A
A43	O	007	EV	2B	Allen James Johnson		WIGAN MBC FOA/A
A44	O	003	EV	2B	Mr A Simpson		WIGAN MBC FOA/A
A45	O	011	EV	2B	Mr Robert Richard Hughes		WIGAN MBC FOA/A
A46	O	004	EV	2B	Paul A Tushingham		WIGAN MBC A05/A
A47	O	009	EV	2B	Mrs I Prescott		WIGAN MBC FOA/A
A48	O	010	EV	2B	Mrs Carol Spencer		WIGAN MBC FOA/A
A49	O	003	EV	2B	E J Clarence		WIGAN MBC FOA/A
A50	O	012	EV	2B	Michael David Iredale		WIGAN MBC FOA/A
A51	O	007	EV	2B	Warren Pennington		WIGAN MBC FOA/A
A52	O	016	EV	2B	Beryl Helsby		WIGAN MBC FOA/A
A53	O	010	EV	2B	Geoffrey MacDonald		WIGAN MBC FOA/A
A54	O	004	EV	2B	Andrea Hilton		WIGAN MBC FOA/A
A55	O	016	EV	2B	W Carney		WIGAN MBC FOA/A
A56	O	010	EV	2B	M Owen		WIGAN MBC FOA/A
A57	O	015	EV	2B	Matthew Tushingham		WIGAN MBC FOA/A
A58	O	007	EV	2B	W D Gibson		WIGAN MBC FOA/A
A59	O	007	EV	2B	Pauline Campbell		WIGAN MBC FOA/A
A60	O	006	EV	2B	R Huyton		WIGAN MBC FOA/A
A61	O	007	EV	2B	Alan Dean		WIGAN MBC FOA/A
A62	O	007	EV	2B	D Cunliffe		WIGAN MBC FOA/A
A63	O	007	EV	2B	Paula Cunliffe		WIGAN MBC FOA/A
A64	O	006	EV	2B	Angela Catterall		WIGAN MBC FOA/A
A65	O	007	EV	2B	George Croston		WIGAN MBC FOA/A
A66	O	007	EV	2B	Cyril Catterall		WIGAN MBC FOA/A
A67	O	007	EV	2B	Steven Sheehan		WIGAN MBC FOA/A
A68	O	007	EV	2B	Bernard Mattison		WIGAN MBC FOA/A
A69	O	007	EV	2B	A I Bullough		WIGAN MBC FOA/A
A70	O	007	EV	2B	Mrs Dawn Wilson		WIGAN MBC FOA/A
A71	O	007	EV	2B	Mrs K Maddocks		WIGAN MBC FOA/A
A72	O	007	EV	2B	R F Bullough		WIGAN MBC FOA/A
A73	O	007	EV	2B	Cissie Garston		WIGAN MBC FOA/A
A74	O	006	EV	2B	George McCathie		WIGAN MBC FOA/A
A75	O	008	EV	2B	Susan Holt		WIGAN MBC FOA/A
A76	O	007	EV	2B	David Thompson		WIGAN MBC FOA/A

A77	O	007	EV	2B	Natalie Gibson		WIGAN MBC FOA/A
A78	O	007	EV	2B	Mr S J Winstanley		WIGAN MBC FOA/A
A79	O	007	EV	2B	Mr P Redmond		WIGAN MBC FOA/A
A80	O	007	EV	2B	Mrs M Leyland		WIGAN MBC FOA/A
A81	O	007	EV	2B	Mrs H M Francis		WIGAN MBC FOA/A
A82	O	007	EV	2B	Mrs J Smith		WIGAN MBC FOA/A
A83	O	007	EV	2B	J Marsh		WIGAN MBC FOA/A
A84	O	007	EV	2B	Derek Woods		WIGAN MBC FOA/A
A85	O	007	EV	2B	Mrs Sheila Dandridge		WIGAN MBC FOA/A
A86	O	007	EV	2B	Mrs M Johnson		WIGAN MBC FOA/A
A87	O	007	EV	2B	Freda Woods		WIGAN MBC FOA/A
A88	O	007	EV	2B	Daniel Gibson		WIGAN MBC FOA/A
A89	O	007	EV	2B	Roy Calder		WIGAN MBC FOA/A
A90	O	007	EV	2B	Mrs M Crossley		WIGAN MBC FOA/A
A91	O	007	EV	2B	Valerie Middleton		WIGAN MBC FOA/A
A92	O	007	EV	2B	Mrs H Harris		WIGAN MBC FOA/A
A93	O	007	EV	2B	M W Doyle		WIGAN MBC FOA/A
A94	O	012	EV	2B	Mr L Prescott		WIGAN MBC FOA/A
A95	O	007	EV	2B	W A Payne		WIGAN MBC FOA/A
A96	O	007	EV	2B	P J Huyton		WIGAN MBC FOA/A
A97	O	007	EV	2B	D A Payne		WIGAN MBC FOA/A
A98	O	007	EV	2B	Mrs Hilda Payne		WIGAN MBC FOA/A
A99	O	004	EV	2B	Lisa Greenhalgh		WIGAN MBC FOA/A
B03	O	006	EV	2B	D J Holden		WIGAN MBC FOA/A
B04	O	004	EV	2B	George Conway		WIGAN MBC FOA/A
B05	O	007	EV	2B	E Brash		WIGAN MBC FOA/A
B30	O	011	EV	2B	Mr Kinsella		WIGAN MBC FOA/A
B31	O	010	EV	2B	William E Coyle		WIGAN MBC FOA/A
B32	O	007	EV	2B	Kathleen Jones		WIGAN MBC FOA/A
B34	O	001	EV	2B	P D Hamilton		WIGAN MBC FOA/A
B35	O	001	EV	2B	Mrs Galley		WIGAN MBC FOA/A
B36	O	001	EV	2B	Alanya Dagnall		WIGAN MBC FOA/A

Supporters of Draft Deposit

Ref No	A	b	c	d	Name	Agent	Responses Ref.
421	S	008	EV	2B	Mrs E M Stephenson		
727	S	014	EV	2B	Greater Manchester Ecology Unit		

Note

The matters raised by objection 220/002 are dealt with in the section of this report which relates to policy GB1.

The matters raised by objection 580/002 are dealt with in the section of this report which relates to policy EM1A8.

The matters raised by objection 697/005 are dealt with in the section of this report which relates to policy EV2.

The matters raised by objection 456/005 are dealt with in the section of this report which relates to policy EV2A.

Main Issues

Whether this policy is appropriate, having regard to:

- the relative weight to be given to the identified designations;
- the need to base policy EV2B on an up-to-date list of sites;
- the scope for habitat management;
- the identification of remnant mosslands;
- the need to review the boundaries of the Lightshaw Waste Water Treatment Works SBI;
- the merits of extending the area of the Skitters Wood Site of Biological Importance;
- the merits of designating land off Martland Avenue, Lowton, as a Site of Biological Importance;
- the role of national planning policy guidance;
- the merits of designating land between Hayman Avenue and the junction of the A572 and A579 roads as a Site of Biological Importance;
- the merits of designating land at Primrose Lane, Standish, as a Site of Biological Importance;
- grammatical aspects.

Inspector's Considerations and Conclusions

The relative weight to be given to the identified designations

9.29 RDD policy EV2B provides that the LPA, in accordance with its nature conservation strategy, will not permit development on or close enough to adversely affect Sites of Special Scientific Interest, Sites of Biological Importance and Local Nature Reserves. It will also promote the management of such sites where this is necessary to retain or enhance the features of interest and will give consideration to the improvement and enhancement of other sites of actual or potential wildlife value.

9.30 At FDD stage objectors argued that the policy was inflexible and that regard should be had to the relative significance of international, national, local and informal designations in considering the weight to be attached to nature conservation interests. The LPA concurs and, at RDD stage, has inserted a reference to this principle in the first paragraph of the reasoned justification to policy EV2B. This confirms that regard will be had to the relative significance of national and local designations in considering the weight to be attached to nature conservation interests in taking decisions. A more restrictive approach will be taken to development affecting sites with national designations than those with local ones. Objectors at RDD stage argue that this wording

omits reference to international designations. In the interests of conformity with the Government's planning policy guidance, such a reference should be inserted. An objector argues that this additional wording should be presented within policy EV2B itself, rather than within its reasoned justification. Because the wording bears on the way a planning application would be determined, I conclude that it should be incorporated within the policy text.

9.31 Other objectors at RDD stage variously argue that sites should be given equal weight in the decision process regardless of whether they are national or local designations or that local designations should be given little or no weight. Such approaches would be contrary to the advice of PPG9 (paragraph 18) that LPAs should have regard to the relative significance of international, national, local and informal designations in considering the weight to be attached to nature conservation. The LPA's approach does not, as an objector argues, diminish the resolve expressed in the preceding sentence to bring about the management and enhancement of such sites where this is appropriate. It simply reflects the relative importance of the designations in accordance with the advice of PPG9.

9.32 An objector asks what criteria are used in determining planning applications and who determines them and their relative weight. The criteria are those expressed by the LPA in the UDP, which is to be read as a whole. Their relative weight in a particular planning decision depends on the nature of the proposal and its particular positive and negative effects. The approach to decision making in which a planning application is determined in accordance with the development plan unless material considerations indicate otherwise, allows the scope for the necessary exercise of judgement in each case.

The need to base policy EV2B on an up-to-date list of sites

9.33 An objector argues that, in the interests of certainty and predictability and to conform to the advice of PPG9 (paragraph 25), all the land which is subject to policy EV2B i.e. Sites of Special Scientific Interest (SSSI), Sites of Biological Importance (SBI) and Local Nature Reserves (LNR) should be identified on the proposals map. The LPA confirms that this has been done. However, because the SBI designations are subject to annual review by the Greater Manchester Ecology Unit, this element of the proposals map can become out of date relatively quickly.

9.34 Contrary to the view of an objector that the UDP makes no provision for the review of SBIs the reasoned justification to policy EV2B informs that changes to the list of these will be maintained as supplementary planning guidance and will be incorporated in the plan at the next review. An objector argues that this process is not appropriate because it does not expose proposals for further SBI designation to the scrutiny of the plan making process. PPG12 (paragraphs 3.15 and 3.16) advises that substantial weight can be attached to supplementary planning guidance which derives out of and is consistent with the development plan and has been prepared in the proper manner. SPG should be prepared in consultation with the general public, businesses and other interested parties. Their views should be taken into account before it is finalised.

9.35 The LPA's proposed method of maintaining an up-to-date list of SBIs does, therefore, provide for the scrutiny of proposals to add or remove land from the category of SBI and for substantial weight to be given to the SPG. However, until such time as changes to designated areas are ratified via the development plan review process they will not have the status to be afforded to a policy of an adopted plan. The reasoned justification to policy EV2B should make this clear.

The scope of habitat management

9.36 Policy EV2B seeks, among other things, to provide for the management of Sites of Special Scientific Interest, Sites of Biological Importance and Local Nature Reserves. An objector argues that the policy should differentiate between the concepts of habitat management and providing better chances for particular species to thrive. The text of the policy makes clear that the purpose of management is not only to retain but also enhance the features of interest. It is clear, therefore, that the policy already serves the role envisaged by the objector.

The identification of remnant mossland

9.37 An objector, at FDD stage, argues that the UDP should identify remnant mossland. The plan should be read as a whole. This matter is dealt with in policy MW1D which, at RDD stage, was retitled 'Remnant Mossland'. The areas to which this policy applies are shown on the proposals map. In the interests of consistency it is necessary to amend the proposals map key to refer to 'Remnant Mossland' instead of 'Peat Extraction'. This is the subject of my recommendation in respect of policy MW1D.

The need to review the boundaries of the Lightshaw Waste Water Treatment Works SBI

9.38 An objector argues that the boundaries of the SBI at Lightshaw Waste Water Treatment Works should be reviewed to determine whether part of that area no longer justifies such a designation and could be released to allow built development on its southern edge. The LPA confirms that SBIs are reviewed on an annual basis by the Greater Manchester Ecology Unit on behalf of the 10 Greater Manchester Local Authorities. The results of the review are published as supplementary planning guidance. This process provides for the maintenance of up-to-date information on the characteristics and qualities of SBIs. It would allow the objector to use this, if appropriate, to support an application for planning permission. Even in advance of the next review of this site, PPG9 (paragraph 27) provides the scope for a potential developer to argue that, in a particular case, a planning permission could be subject to conditions which would prevent damaging impacts on wildlife habitats or that material considerations are sufficient to override nature conservation interests.

The merits of extending the area of the Skitters Wood Site of Biological Importance

9.39 Objectors argue that the Skitters Wood SBI should be extended southwards to include woodland to the rear of Winchester Avenue. They argue that this area has experienced an increase in wildlife activity in the 3 year period since it was fenced off and became an integral part of adjacent woodland.

9.40 The LPA, in response to these objections, has sought the advice of the Greater Manchester Ecology Unit. That body surveyed the objection site and concluded that it is not of sufficient semi-natural quality to justify its inclusion in the SBI. Having regard to the findings of that expert body, there is no basis on which I can recommend an extension of the SBI to include the land to the rear of Winchester Avenue. Because this area is isolated from the wider wildlife corridor network it would not be appropriate to designate it under the terms of policy EV2C. As an open space this area would, however, be protected from development in accordance with the terms of policy C1C.

The merits of designating land off Martland Avenue, Lowton as a Site of Biological Importance

9.41 An objector advocates that a site off Martland Avenue, Lowton, be designated as a Site of Biological Importance. This has, however, been assessed by the Greater Manchester Ecology Unit. That body has concluded that the site does not display the characteristics to justify its designation.

The role of national planning policy guidance

9.42 Objectors argue generally that policy EV2B should make allowance for mitigation of harm via a development proposal. More specifically in relation to sites at Tyldesley Waste Water Treatment Works, Ince-in-Makerfield Waste Water Treatment Works and Leigh Waste Water Treatment Works, they argue that policy EV2B should be amended to allow for built development within Sites of Biological Importance to help fund remediation of contaminated land or otherwise help to achieve land reclamation and renewal.

9.43 PPG9 (paragraph 27) advises that nature conservation can be a significant material consideration in determining many planning applications. LPAs should not, however, refuse permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if other material factors are sufficient to override nature conservation considerations. In the interests of conformity with the Government's planning policy guidance this qualification should be incorporated in the policy text.

The merits of designating land between Hayman Avenue and the junction of the A572 and A579 roads as a Site of Biological Importance

9.44 An objector argues that land between Hayman Avenue and the junction of the A572 and A579 roads should be designated as a Site of Biological Importance. In response to this objection the LPA has sought the advice of the Greater Manchester Ecology Unit. That body has inspected the site and concluded that the habitat there is not of sufficient quality to warrant designation as an SBI. Having regard to the findings of that expert body there is no basis on which I can recommend the designation of this land as an SBI.

The merits of designating land at Primrose Lane, Standish, as an SBI

9.45 An objector argues that land at Primrose Lane, Standish, no longer merits SBI designation because its ecological value has diminished. He refers to a recent planning application for residential development of this land as part of which the LPA, the Greater Manchester Ecology Unit and English Nature agreed that natural pond succession processes will ultimately result in the loss of the pond on the site as a breeding habitat for great crested newts unless this is maintained by management intervention. The LPA confirms that it has no current proposals for the management of the pond. The evidence presented to a public inquiry on 20/04/04 confirmed that not only Great Crested Newts but also their eggs were present at the pond on the site during the spring of 2004. The Great Crested Newt is a European protected species. Its recent documented presence on this site does not support a conclusion that the ecological value of the land has yet declined to a point where SBI designation is no longer appropriate.

9.46 The objector seeks a rewording of policy EV2B to provide that ‘The Council will actively support the management of such sites (i.e. Sites of Biological Importance) where it is necessary to secure their long term future.’ The relevant wording of the policy, at RDD stage, already says ‘The Council will promote the management of such sites where it is necessary to retain or enhance the features of interest’. In my view the RDD wording already expresses the undertaking sought by the objector.

9.47 The objector refers to a planning application for the residential development of the site which had been submitted but not determined at the time of the close of this inquiry. He says that it is recommended for approval by LPA officers and that it has the support of English Nature and the Greater Manchester Ecology Unit. He seeks the redefinition of the EV2B designation at Primrose Lane if the planning application is approved. The reasoned justification to the policy recognises that changes to such designations will occur from time to time. It provides for such changes to be monitored via supplementary planning guidance and incorporated within the plan at review stage. It is not, therefore, necessary for me to base a recommendation on the uncertain ground of speculation about the outcome of a current planning application.

Grammatical Aspects

9.48 The second sentence of the first paragraph of the reasoned justification to policy EV2B at RDD stage begins with the words ‘Regard will be had to’. An objector argues that this is a clumsy form of expression and should be replaced with ‘Regard will be given to’. In my view the RDD wording is perfectly acceptable.

Recommendation

I recommend:

(REC 9.12) that the RDD be modified by the deletion of the first twenty words of policy EV2B and their replacement as follows. ‘The Council, in accordance with its Nature Conservation Strategy, will not permit development on or close enough to adversely affect the following categories of sites, unless permission can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if other material considerations are sufficient to override these.’

(REC 9.13) that the RDD be modified by the incorporation within policy EV2B of the wording inserted at RDD stage into the first paragraph of its reasoned justification, subject to the insertion of the word ‘international’ between the words ‘of’ and ‘national.’

(REC 9.14) that the RDD be modified by the addition of a final sentence to the third paragraph of the reasoned justification to policy EV2B as follows. ‘The relative weight to be given to the contents of an adopted development plan and of supplementary planning guidance is set out in PPG12.’

(REC 9.15) that no other modification be made to the RDD in response to these objections.

EV2C FEATURES OF MAJOR IMPORTANCE FOR NATURE CONSERVATION AND WILDLIFE CORRIDORS

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
222	O	002	EV	2C	Jupiter Investments Ltd		WIGAN MBC 222/A
423	O	001	EV	2C	Woodland Trust		WMBC 423 EV
424	O	018	EV	2C	Government Office for the North West		WMBC 424 GONW
455	O	003	EV	2C	Leigh Ornithological Society		WMBC 455 EV
456	O	006	EV	2C	Salford City Council		WMBC 456
572	O	020	EV	2C	Peter Sargeant FRTPI		WIGAN MBC 572/A
583	O	034	EV	2C	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR
584	O	001	EV	2C	Miss H and Mr C Charles	Sedgwick Associates	WIGAN MBC 584/A
682	O	011	EV	2C	English Nature		WMBC 682/A
697	O	006	EV	2C	Viridor Waste Management Ltd		WMBC 697
726	O	010	EV	2C	United Utilities Facilities and Property Services		WMBC 726/A
726	O	014	EV	2C	United Utilities Facilities and Property Services		WMBC 726/A
726	O	019	EV	2C	United Utilities Facilities and Property Services		WMBC 726/A

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
682	O	031	EV	2C	English Nature		WMBC 682/A
747	O	120	EV	2C	Wigan Borough Action Group		WIGAN MBC 747/A
747	O	121	EV	2C	Wigan Borough Action Group		WIGAN MBC 747/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
421	S	009	EV	2C	Mrs E M Stephenson		
727	S	015	EV	2C	Greater Manchester Ecology Unit		

Supporters of Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
423	S	005	EV	2C	Joanne Burriss		
727	S	033	EV	2C	Greater Manchester Ecology Unit		

Note

The matters raised by objection 456/006 are dealt with in the section of this report which relates to policy EV2A.

Main Issues

Whether this policy is appropriate, having regard to:

- the role of the UK and Greater Manchester Biodiversity Action Plans;
- the approach to the determination of planning applications;
- the relative degree of protection to be given to features of major importance for nature conservation;
- the specificity of policy coverage;
- the extent to which semi-natural or ancient woodlands are protected;
- the approach to the control of development in and adjacent to wildlife corridors;
- the protection of wildlife corridors;
- the alignment of the proposed wildlife corridor on land to the west of Aye Bridge Road and Warrington Road, Abram;
- the inclusion of land to the south of Mottram Drive, Wigan, within the proposed wildlife corridor;
- the detailed wording of the policy and reasoned justification.

Inspector's Considerations and Conclusions

The role of the UK and Greater Manchester Biodiversity Action Plans

9.49 An objector, at FDD stage, argues that policy EV2C should refer to the role of the UK and Greater Manchester Biodiversity Action Plans. The LPA concurs and, at RDD stage, has incorporated a reference to these in both the policy and reasoned justification.

9.50 Proposed RDD policy EV2C provides that development which may adversely affect, directly or indirectly, specified landscape features which are of major importance for wild fauna and flora, will not be permitted. Appropriate management of these features will be sought through the imposition of conditions on planning permissions, the use of planning obligations and by entering into management agreements with land owners and developers where appropriate. Developers will also be expected to protect and enhance habitats and species listed in the UK and Greater Manchester Biodiversity Action Plans.

9.51 The Council will also protect and enhance the Borough's wildlife corridor network. Except in very special circumstances it will not permit development which would destroy or adversely affect the integrity of this network. New development adjacent to wildlife corridors will be expected to incorporate features to contribute to their operation, including the creation of new links into the network.

9.52 The same objector, at RDD stage, argues that remnant mosslands have the potential to be restored to lowland raised bog. This is a habitat of international importance which is identified as a priority in the UK Biodiversity Action Plan. Given the importance of lowland raised bog habitat, the objector seeks a specific reference within policy EV2C to the protection of any land that has the potential to be restored to this. The need for this is already recognised, however, by the requirement of the policy

that developers will be expected to protect and enhance habitats which are listed in the UK and Greater Manchester Biodiversity Action Plans.

9.53 The objector also seeks the insertion of text in the reasoned justification to require that, where important features may be lost, the LPA will seek schemes for their replacement or other measures of mitigation in order to render a development acceptable. I deal with this matter in the sub-section which relates to the approach to the determination of planning applications.

The approach to the determination of planning applications

9.54 Objectors argue that policy EV2C is unduly prescriptive and over-restrictive. They express concern that it gives protection irrespective of the importance of a particular site for nature conservation or the scope for mitigation of harm. An objector suggests that it should set out the circumstances in which development which has an adverse effect might be mitigated. Another objector argues that this policy should be re-worded to allow the development of unspecified parts of the Waste Water Treatment Works at Ince-in-Makerfield, Leigh and Hindley.

9.55 PPG9 (paragraph 27) advises that nature conservation can be a significant material consideration in determining many planning applications. LPAs should not, however, refuse permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if other material factors are sufficient to override nature conservation considerations. In the interests of conformity with the Government's planning policy guidance this qualification should be incorporated in the policy text.

The relative degree of protection to be given to features of major importance for nature conservation

9.56 An objector argues that the UDP should give greater prominence to the need to protect semi-natural grassland and wetlands. In so doing it should afford them protection against tree planting. This is considered to be necessary in order to promote the interests of grassland birds. The policy is presented on the basis that all of the identified habitat types, including semi-natural grassland and various water features, are to be protected. The UDP is a plan for a relatively long period (up to 2016) and for a relatively small area (that of Wigan Borough). It is not, therefore, a suitable policy vehicle for fine-tuning the stock of various habitats in response to changes in populations of particular species. Such action is more appropriately undertaken via a local biodiversity action plan. For this reason I conclude that policy EV2C should not be refined in the way proposed by the objector.

The specificity of policy coverage

9.57 An objector refers to the landscape features listed in the second element of policy EV2C. He expresses concern that it is not clear whether the policy applies to all such

features in the Borough or only specified ones. These features are not shown on a site-specific basis on the proposals map. It is, therefore, clear that the policy applies to any land which falls within one of the landscape types.

The extent to which semi-natural or ancient woodlands are protected

9.58 An objector at FDD stage argues that all semi-natural or ancient woodlands should be protected, and not just the larger ones referred to in the FDD text. The LPA concurs and, at RDD stage, removes the reference to ‘larger’ woodlands, thereby securing protection to all of them.

The approach to the control of development in and adjacent to wildlife corridors

9.59 Policy EV2C provides that, except in very special circumstances, development proposals will not be permitted if they would destroy or adversely affect the integrity of the wildlife corridor network. An objector expresses concern that the term ‘very special circumstances’ is limited in national policy guidance to the control of development in the green belt. In the interests of certainty and clarity of policy expression I conclude that it should be replaced with alternative wording which retains the intentions of the policy and the approach to decision making.

9.60 The policy as well as seeking to control development within wildlife corridors, also seeks to influence the design of schemes adjacent to them. The wildlife corridors have been defined on the proposals map as the areas which need to remain open in order that the network as a whole can function. It is, therefore, clear that additional areas are not needed to serve this purpose. A requirement that adjacent development should make a positive contribution to the network would be contrary to the advice of Circular 11/95: ‘The Use of Conditions in Planning Permissions’ that conditions should be necessary and relevant to the development to be permitted. Paragraph 25 of that Circular advises that, despite the desirability of achieving particular objectives in policy terms, it is wrong to require action where the need for this is not created by the new development.

9.61 Circular 05/2005: ‘Planning Obligations’ advises that planning obligations should not be used to secure contributions to the achievement of wider planning objectives that are not necessary to allow consent to be given for a particular development. For these reasons I conclude that the final paragraph of RDD policy EV2C should be deleted and replaced with the statement that the Council will also protect and enhance the Borough’s wildlife corridor network and, only in exceptional circumstances, will permit development proposals which would destroy or adversely affect the integrity of this.

The protection of wildlife corridors

9.62 An objector argues that wildlife corridors themselves should be protected by buffer zones. The object of the exercise is not to protect a zone of land but the scope for species to spread and move throughout an area. The wildlife corridors provide for this. Their ability to serve this role is secured by the wording of policy EV2C. I conclude that

the combination of that wording and the defined corridors, is sufficient to achieve the overall objective of securing the scope for the movement of species.

The alignment of the proposed wildlife corridor on land to the west of Aye Bridge Road and Warrington Road, Abram

9.63 An objector refers to land between the rear of dwellings on the western side of Aye Bridge Road and Warrington Road, and the Leeds and Liverpool Canal at the southern edge of Abram. Part of this is proposed to be designated as a wildlife corridor under policy EV2C. He argues that this designation is inconsistent with the existing use of the land which he describes as domestic gardens.

9.64 I noted at my site inspection that most of the area between the proposed boundary of the wildlife corridor and the canal is rough grassland and woodland. Only at the southern end of this belt, at the rear of Nos 492 to 518 Warrington Road, does the proposed wildlife corridor include any other type of land and this is limited to allotment plots. None of this land is laid out as domestic gardens. At the inquiry this objector confirmed that the allotments are let on annual tenancies to local residents and others for recreational purposes.

9.65 Wildlife corridors are referred to in PPG9 (paragraph 15) as countryside features which provide links or stepping stones from one habitat to another. They help to form a network necessary to ensure the maintenance of the current range and diversity of flora and fauna. The designation of the wildlife corridor would not constrain the continued use of the land for its existing purposes. The development of almost all of the land between the proposed wildlife corridor boundary and the canal is, in any case, already constrained by its inclusion within the adopted green belt. For this area, the adoption of policy EV2C would not significantly increase the inhibition to development.

9.66 At the southern end of the belt of open land, however, where some allotment areas lie between the green belt and the rear of the existing dwellings, the designation of the wildlife corridor would introduce an additional constraint to development. At no other place around the western, southern and eastern edges of the built-up area of Abram is the inner boundary of the wildlife corridor proposed to be drawn more tightly to the urban area than the line of the adopted green belt. The LPA has not demonstrated that the wildlife corridor in this location must be drawn so tightly against the urban edge to enable it to function. Indeed, if it was drawn to be co-terminus with the boundary of the adopted green belt at the southern edge of Abram, it would maintain a belt some 100m wide between that line and the canal. No technical reason was presented why this would not be sufficient to allow free movement of flora and fauna. For these reasons I conclude that the inner boundary of the proposed wildlife corridor at the southern end of Abram should be drawn to coincide with the adopted green belt boundary.

The inclusion of land to the south of Mottram Drive, Wigan, within the proposed wildlife corridor

9.67 Objectors argue that land immediately to the south of Mottram Drive and to the east of Poolstock Lane, Wigan, should be excluded from the proposed wildlife corridor. They contend that it contains none of the features listed in the policy and has no major role in the maintenance of wild flora and fauna. They contend that, if such a role was necessary for this area, it is already met by the corridor formed by the dismantled railway line to the south and by a local nature reserve.

9.68 The objectors' site contains both maintained and rough grassland and a belt of trees. This latter feature is one of those listed in the policy. It, therefore, has a role to play in supporting wildlife. This will be enhanced by its proximity to the former railway corridor and the water feature of Scotsman's Flash which provide a direct route by which wild flora and fauna may enter the site.

9.69 The objectors argue that the land could be regarded as a possible windfall housing site. If an application for planning permission for residential development is submitted in the future it will be considered in the context of the policies of the then extant development plan. The need for housing land and the role of the site in supporting wildlife would be material factors. The appraisal of the requirement for and supply of housing land, which I present in the section of this report which relates to policy R1A, does not indicate that there is, at present, a need for housing land sufficient to justify removal of the site from its proposed designation under policy EV2C. I conclude, for these reasons, that the land should remain subject to this designation.

The detailed wording of the policy and reasoned justification

9.70 An objector argues that, in the final sentence of the first paragraph of the policy, the word 'expected' should be replaced with 'required'. Also in the first paragraph of the reasoned justification the word 'should' should be replaced with 'shall'. The use of these words in the RDD text allows the scope for the exercise of judgement which is required by PPG9 (paragraph 27).

9.71 An objector argues that there is a need for the insertion of cross-references to related policies. The RDD, however, reflects the advice of PPG12 that development plans should be succinct by advising that the plan should be read as a whole.

Recommendation

I recommend:

(REC 9.16) that the RDD be modified by the deletion of the first sentence of policy EV2C and its replacement as follows. 'Development which would adversely affect, directly or indirectly, the landscape features listed below (which are of major importance for wild fauna and flora) will not be permitted unless the permission can

be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if other material considerations are sufficient to override these.'

(REC 9.17) that the RDD be modified by the deletion of the final paragraph of policy EV2C and its replacement as follows. 'The Council will also protect and enhance the Borough's wildlife corridor network. Only in exceptional circumstances will it permit development proposals which would destroy or adversely affect the integrity of this'.

(REC 9.18) that the RDD be modified by the variation of the alignment of the proposed boundary of the wildlife corridor on the proposals map so that it coincides with the line of the adopted green belt at the southern edge of Abram.

(REC 9.19) that no other modification be made to the RDD in response to these objections.

EV2D SPECIES PROTECTION

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
572	O	021	EV	2D	Peter Sargeant FRTPI		WIGAN MBC 572/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
421	S	010	EV	2D	Mrs E M Stephenson		
682	S	012	EV	2D	English Nature		
727	S	016	EV	2D	Greater Manchester Ecology Unit		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Responses Ref.
747	O	077	EV	2D	Robert Beale		WMBC 747/A

Main Issues

Whether this policy is appropriate, having regard to:

- the title of the policy;
- the need for cross-referencing.

Inspector's Considerations and Conclusions

The title of the policy

9.72 RDD policy EV2D provides that the LPA will not permit development which would have an adverse impact on legally protected species unless the reasons for the development clearly outweigh the protection of the species concerned. An objector notes that, at RDD stage, the title of policy EV2D, as presented in the Contents List on page 4 of the plan, has been changed from 'Special Protection' to 'Species Protection'. He argues that the word 'special' should be reinserted. The term 'Species Protection' is, however, a more accurate form of wording because it specifies the subject matter of the policy. The LPA confirms that the word 'special' was a typographical error. I conclude, for these reasons, that the RDD text is the more accurate and should be retained.

The need for cross-referencing

9.73 An objector argues that the plan as a whole would be rendered more comprehensible if cross-references were inserted to other relevant policies. The introduction to the UDP informs that it is to be read as a whole. To insert cross-references between policies would conflict with the advice of PPG12 that development plans should be succinct.

Recommendation

I recommend:

(REC 9.20) that no modification be made to the RDD in response to these objections.

EV2E TREES, WOODLANDS AND HEDGEROWS

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Reponses Ref.
423	O	002	EV	2E	Woodland Trust		WMBC 423 EV
455	O	001	EV	2E	Leigh Ornithological Society		WMBC 455 EV
572	O	056	EV	2E	Peter Sargeant FRTPI		WIGAN MBC 572/A
725	O	005	EV	2E	United Utilities Facilities and Property Services		WMBC 7258/A
727	O	017	EV	2E	Greater Manchester Ecology Unit		WMBC 727/A

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Reponses Ref.
002	O	007	EV	2E	Red Rose Forest		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Reponses Ref.
747	O	119	EV	2E	Wigan Borough Action Group		WIGAN MBC 747/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Reponses Ref.
421	S	011	EV	2E	Mrs E M Stephenson		

Main Issues

Whether this policy is appropriate, having regard to:

- the promotion of tree planting;
- constraints upon the design of tree planting schemes;
- the degree of protection to be given to ancient trees;
- the protection of hedgerows;
- the role of the Red Rose Forest.

Inspector's Considerations and Conclusions

The promotion of tree planting

9.74 RDD policy EV2E provides that the LPA will protect and enhance trees, woodlands and hedgerows by various specified means. An objector expresses concern that the encouragement of tree planting in element (b) of the policy could be to the detriment of other habitats. The reasoned justification for policy EV2E confirms, however, that the Council is committed to enhancing nature conservation in the Borough through sustainable resource management. This will be achieved by, among other things, the identification of suitable areas for high quality tree planting schemes. It is clear,

therefore, that the LPA will have regard to the broad picture when it identifies particular sites for tree planting.

9.75 A further objector argues that, in the interests of biodiversity, the use of native species in landscaping and tree planting schemes, as referred to in clause (b) should be qualified by the requirement that they be ‘locally’ native i.e. native to Wigan or Greater Manchester rather than to Britain as a whole. The important consideration is that tree planting schemes should be of high quality and provide sustainable habitats and landscape features. Given the range of site conditions in terms of soil type, slope, degree of water-logging etc, that will be encountered within the Borough, I conclude that the selection of trees from within the range of native species should be a matter left to the scheme design stage.

Constraints on the design of tree planting schemes

9.76 An objector argues that the policy should recognise the problems which can arise if trees and deep rooted shrubs are planted near to underground electricity cables, water pipelines and public sewers. This point is already acknowledged within the reasoned justification to the policy by the reference to the need to identify suitable areas for such planting.

The degree of protection to be given to ancient trees

9.77 An objector argues that ancient trees should be protected from any form of development. The town and country planning system does not, however, provide for an absolute proscription of development in any particular case. Section 38(6) of the P&CPA 2004 provides that an application for planning permission shall be determined in accordance with the development plan unless material considerations indicate otherwise. This provides the opportunity for a prospective developer to argue that, in a particular case, the development plan should not prevail. By avoiding an absolute proscription on particular action, policy EV2E conforms with this basic principle.

The protection of hedgerows

9.78 Policy EV2E provides that the LPA will, among other things, protect hedgerows by the use of Hedgerow Retention Notices and planning conditions and obligations where appropriate. Its reasoned justification informs that the Hedgerow Regulations 1997 set out criteria which are used to determine whether a hedgerow is ‘important’ from an archaeological, historical, landscape or wildlife perspective. An objector seeks a commitment within the policy that the LPA will identify ‘important’ hedgerows in advance of their being identified via the development control process. The undertaking of such work, beyond the statutory requirement of the Regulations, would entail the use of resources not yet available to the LPA. Having regard to the advice of PPG12 (paragraph 6.24) that the provisions of development plans must be realistic, there is no justification for widening the terms of the policy.

The role of the Red Rose Forest

9.79 The reasoned justification to the policy, at FDD stage, presented a definition of the role of the Red Rose Community Forest. This was changed at RDD stage to more accurately summarise this. An objector argues that the FDD wording should be reinstated. This would, however, not serve the interests of accuracy.

Recommendation

I recommend:

(REC 9.21) that no modification be made to the RDD in response to these objections.