

CHAPTER 15 - GENERAL POLICIES

G INTRODUCTION

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
572	O	038	GN		Peter Sargeant FRTPI		WIGAN MBC 572/A

Main Issue

The relationship between the UDP and supplementary planning guidance.

Inspector's Considerations and Conclusions

15.1 An objector argues that a list of all supplementary planning guidance documents prepared by the LPA should be presented within the UDP. PPG12 (paragraph 3.15) confirms, however, that such documents do not form part of a development plan. They can take the form of design guides, area development briefs or documents to supplement particular policies. The UDP is intended to cover a period to 2016. Supplementary planning guidance documents are, by their very nature, likely to have a much shorter relevant time span. If incorporated in the UDP a list would soon be out of date. For both these reasons I conclude that the UDP should not incorporate a list of supplementary planning guidance.

15.2 The same objector criticises what he alleges is a lack of public consultation when supplementary planning guidance is prepared. Having regard to the advice of PPG12 (paragraph 3.15), consultation is an importance stage in the preparation of such documents. Because they are not intended to form part of the development plan, and because my remit is limited to the merits of the UDP itself, any alleged lack of public consultation is not a matter for me to address.

Recommendation

I recommend:

(REC 15.1) that no modification be made to the RDD in response to this objection.

G1A IMPACT OF DEVELOPMENT ON AMENITY

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
582	O	005	G	1A	Taylor Woodrow Developments Ltd	Michael Courcier and Partners Ltd	WMBC 582/A
583	O	022	G	1A	Peel Investment (North) Ltd	Halliwell Landau	WMBC 583 WR

Main Issues

Whether this policy is appropriate, having regard to:

- the threshold of harm;
- the reference to on-street car parking;

Inspector's Considerations and Conclusions

The threshold of harm

15.3 Policy G1A provides that the impact of all types of new development, changes of use and extensions on nearby sites and buildings will be carefully considered and will be permitted only when specified circumstances apply. Clause (a) of policy G1A requires that a proposal must not be detrimental to amenity by virtue of 'excessive' noise, smell, fumes or other stated factors. Objectors argue that the simple juxtaposition of different uses need not give rise to environmental conflict. They are concerned that, as written, this element of the policy could inhibit the promotion of mixed-use development. In my view the policy makes mixed-use proposals more acceptable by ensuring that they do not give rise to amenity-related conflicts.

15.4 For the reasons I give in the section of this report which relates to policy G1D I conclude that the threshold beyond which harm is considered to be a material factor should be modified to conform to the advice of PPS1 (paragraph 19) that 'significant adverse impacts' on the environment should be avoided.

The reference to on-street car parking

15.5 Within criterion (a) on-street car parking is identified as one of the factors which could give rise to harm to the amenity of nearby existing or proposed land uses. Objectors argue that the reference to this should be deleted because they consider it to be contrary to the advice of PPG13. The reference is not to on-street parking per se, however, but to the potential for this in particular cases to cause harm to amenity. This could arise, for example, from the noise generated by on-street car parking late at night near to dwellings by customers or employees of a late opening business. For this reason I conclude that reference to on-street car parking should remain within policy G1A.

Recommendation

I recommend:

(REC 15.2) that the RDD be modified by the deletion of clause (a) of policy G1A and its replacement as follows. ‘There would be no significant adverse impact on the amenity of nearby existing or proposed land uses by virtue of noise, smell, fumes, light spillage, traffic or on-street parking, visual intrusion or other nuisance’.

(REC 15.3) that no other modification be made to the RDD in response to these objections.

G1B PLANNING OBLIGATIONS

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
150	O	003	G	1B	Graham Wilcock		WMBC 150 G1B
702	O	020	G	1B	Tesco Stores Ltd	The Development Planning Partnership	WMBC 702 PART

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
024	O	002	G	1B	Mrs M E Fairhurst		WIGAN MBC FOA/A
025	O	018	G	1B	Philip Fairhurst		WIGAN MBC FOA/A
033	O	017	G	1B	Miss Winifred Beesley		WIGAN MBC FOA/A
049	O	017	G	1B	Linda Hickey		WIGAN MBC FOA/A
050	O	017	G	1B	Robert Hickey		WIGAN MBC FOA/A
053	O	018	G	1B	Adrian Hurst		WIGAN MBC FOA/A
055	O	017	G	1B	Mrs M Iredale		WIGAN MBC FOA/A
060	O	015	G	1B	Anthony Connell		WIGAN MBC FOA/A
060	O	033	G	1B	Katherine Marsland		WIGAN MBC FOA/A
086	O	017	G	1B	Susan Melling		WIGAN MBC FOA/A
087	O	017	G	1B	B Hughes		WIGAN MBC FOA/A
089	O	017	G	1B	Ms Margaret Dean		WIGAN MBC FOA/A
090	O	017	G	1B	Karin & Keith Dagnall		WIGAN MBC FOA/A
091	O	006	G	1B	W Malcolm Cook		WIGAN MBC FOA/A
097	O	015	G	1B	Mrs K Lees		WIGAN MBC FOA/A
099	O	015	G	1B	Mr G E Forster		WIGAN MBC FOA/A
100	O	006	G	1B	Margaret Brooks		WIGAN MBC FOA/A
101	O	005	G	1B	William Brooks		WIGAN MBC FOA/A
114	O	002	G	1B	Joan Atherton		WIGAN MBC FOA/A
160	O	010	G	1B	Amelia Ellen Lavin		WIGAN MBC FOA/A
161	O	017	G	1B	T Brennan		WIGAN MBC FOA/A
166	O	017	G	1B	Mr Jack Delaney		WIGAN MBC FOA/A
172	O	017	G	1B	Gary Crossley		WIGAN MBC FOA/A
172	O	033	G	1B	Julie Crossley		WIGAN MBC FOA/A
174	O	016	G	1B	Miss B McKenna		WIGAN MBC FOA/A
177	O	010	G	1B	Mr D Foster		WIGAN MBC FOA/A
184	O	017	G	1B	E M Chadwick		WIGAN MBC FOA/A
188	O	015	G	1B	Josephine Mary Fleming		WIGAN MBC FOA/A
189	O	017	G	1B	Miss M Topping		WIGAN MBC FOA/A
190	O	010	G	1B	Sarbari Mukherjee		WIGAN MBC FOA/A
194	O	003	G	1B	Lillian Corcoran		WIGAN MBC FOA/A
198	O	010	G	1B	Mrs Kay Pooke		WIGAN MBC FOA/A
219	O	002	G	1B	Mrs M P Anten		WIGAN MBC FOA/A
248	O	010	G	1B	John E Middleton		WIGAN MBC FOA/A
251	O	009	G	1B	Val Middleton		WIGAN MBC FOA/A

293	O	016	G	1B	A Hamilton		WIGAN MBC FOA/A
295	O	010	G	1B	P D Hamilton		WIGAN MBC FOA/A
297	O	009	G	1B	Raymond Sharples		WIGAN MBC FOA/A
301	O	007	G	1B	Mavis Helena Gale		WIGAN MBC FOA/A
303	O	007	G	1B	Christine A Jones		WIGAN MBC FOA/A
304	O	004	G	1B	J S Arkwright		WIGAN MBC FOA/A
308	O	007	G	1B	M Boardman		WIGAN MBC FOA/A
311	O	008	G	1B	Bernard Shaw		WIGAN MBC FOA/A
312	O	008	G	1B	Mary F Shaw		WIGAN MBC FOA/A
314	O	017	G	1B	Mrs M MacDonald		WIGAN MBC FOA/A
317	O	003	G	1B	J G Ellison		WIGAN MBC FOA/A
318	O	017	G	1B	Mr G Daniels		WIGAN MBC FOA/A
319	O	016	G	1B	Mrs M H Hughes		WIGAN MBC FOA/A
322	O	017	G	1B	Archibald Smith Tate		WIGAN MBC FOA/A
323	O	017	G	1B	Norman Edward Rusk		WIGAN MBC FOA/A
325	O	017	G	1B	Mr John Steele		WIGAN MBC FOA/A
326	O	017	G	1B	Mrs Janet Steele		WIGAN MBC FOA/A
327	O	017	G	1B	Neina Woodward		WIGAN MBC FOA/A
328	O	010	G	1B	Mr A Woodward		WIGAN MBC FOA/A
330	O	017	G	1B	William Glover		WIGAN MBC FOA/A
332	O	013	G	1B	David Catterall		WIGAN MBC FOA/A
333	O	017	G	1B	Geoffrey Powell		WIGAN MBC FOA/A
335	O	016	G	1B	J F Kearsley		WIGAN MBC FOA/A
339	O	018	G	1B	Kathryn Pennington		WIGAN MBC FOA/A
407	O	016	G	1B	Adele Wilkes		WIGAN MBC FOA/A
408	O	005	G	1B	Gary Wilkes		WIGAN MBC FOA/A
435	O	015	G	1B	Gordon Catterall		WIGAN MBC FOA/A
436	O	017	G	1B	Mrs E Johnson		WIGAN MBC FOA/A
446	O	017	G	1B	C Hilton-Caroll		WIGAN MBC FOA/A
450	O	017	G	1B	Andre Philip Richard Gorner		WIGAN MBC FOA/A
461	O	015	G	1B	Ethel Glover		WIGAN MBC FOA/A
493	O	010	G	1B	William Lovell Verinder		WIGAN MBC FOA/A
494	O	012	G	1B	Julie L Harrison		WIGAN MBC FOA/A
505	O	017	G	1B	Mrs C Daington		WIGAN MBC FOA/A
533	O	004	G	1B	Mrs E A Carter		WIGAN MBC FOA/A
548	O	005	G	1B	Mrs Sylvia Marion Stitt		WIGAN MBC FOA/A
550	O	011	G	1B	Belinda Croston		WIGAN MBC FOA/A
572	O	113	G	1B	Peter Sargeant FRTPI		WIGAN MBC 572/A
573	O	010	G	1B	Mr A Eaves		WIGAN MBC FOA/A
574	O	010	G	1B	John Murphy		WIGAN MBC FOA/A
702	O	037	G	1B	Tescos Stores Ltd	The Development Planning Partnership	WMBC 702 PART
747	O	050	G	1B	Wigan Borough Action Group		WIGAN MBC 747/A
810	O	006	G	1B	Mr A Sherman		WIGAN MBC FOA/A
830	O	015	G	1B	C Murnan		WIGAN MBC FOA/A
831	O	001	G	1B	Les Jones		WIGAN MBC FOA/A
833	O	017	G	1B	S Murphy		WIGAN MBC FOA/A

834	O	017	G	1B	C Murphy		WIGAN MBC FOA/A
835	O	017	G	1B	P Murphy		WIGAN MBC FOA/A
836	O	013	G	1B	Mr C L Pooke		WIGAN MBC FOA/A
837	O	003	G	1B	Mrs S Greenhalgh		WIGAN MBC FOA/A
838	O	016	G	1B	Rachel Webster		WIGAN MBC FOA/A
839	O	017	G	1B	Gary Oakes		WIGAN MBC FOA/A
840	O	017	G	1B	Mrs J Sherman		WIGAN MBC FOA/A
887	O	006	G	1B	Mr Charles Christopherson		WIGAN MBC FOA/A
888	O	005	G	1B	W A Sefton		WIGAN MBC FOA/A
889	O	014	G	1B	W Boardman		WIGAN MBC FOA/A
890	O	003	G	1B	Mrs Edith Sefton		WIGAN MBC FOA/A
891	O	015	G	1B	Mrs Speed		WIGAN MBC FOA/A
892	O	015	G	1B	Adrian Hughes		WIGAN MBC FOA/A
893	O	012	G	1B	Mrs M J Rusk		WIGAN MBC FOA/A
894	O	007	G	1B	Mr John Wilkieson		WIGAN MBC FOA/A
895	O	014	G	1B	Mrs T Quinn		WIGAN MBC FOA/A
896	O	016	G	1B	David Tinsley		WIGAN MBC FOA/A
897	O	016	G	1B	Janet Marjorie Tate		WIGAN MBC FOA/A
898	O	016	G	1B	Miss T Topping		WIGAN MBC FOA/A
899	O	008	G	1B	Betty Prescott		WIGAN MBC FOA/A
900	O	007	G	1B	Mrs J Lodge		WIGAN MBC FOA/A
901	O	007	G	1B	Alison Hurst		WIGAN MBC FOA/A
902	O	005	G	1B	S V Lang		WIGAN MBC FOA/A
903	O	003	G	1B	J A Harrison		WIGAN MBC FOA/A
904	O	005	G	1B	Dr A M Mukherjee		WIGAN MBC FOA/A
905	O	005	G	1B	Mrs H J Hughes		WIGAN MBC FOA/A
906	O	016	G	1B	Frank Stringfellow		WIGAN MBC FOA/A
907	O	016	G	1B	Ida Rylance		WIGAN MBC FOA/A
908	O	013	G	1B	William J Rylance		WIGAN MBC FOA/A
909	O	016	G	1B	J Butcher		WIGAN MBC FOA/A
910	O	016	G	1B	Mrs Kathleen F Brown		WIGAN MBC FOA/A
911	O	016	G	1B	D Ball		WIGAN MBC FOA/A
912	O	016	G	1B	Mr R Banks		WIGAN MBC FOA/A
913	O	016	G	1B	J Houghton		WIGAN MBC FOA/A
914	O	016	G	1B	C Macdonald		WIGAN MBC FOA/A
915	O	010	G	1B	Jacqueline Sheehan		WIGAN MBC FOA/A
916	O	004	G	1B	Maureen Smith		WIGAN MBC FOA/A
917	O	001	G	1B	Mrs P A Tushingham		WIGAN MBC FOA/A
918	O	015	G	1B	Gladys Wilkes		WIGAN MBC FOA/A
919	O	005	G	1B	P A Waldron		WIGAN MBC FOA/A
920	O	016	G	1B	Mr R G Bradshaw		WIGAN MBC FOA/A
921	O	006	G	1B	D ellison		WIGAN MBC FOA/A
922	O	001	G	1B	Richard Andrew Corless		WIGAN MBC FOA/A
923	O	015	G	1B	Jeffrey Cook		WIGAN MBC FOA/A
924	O	013	G	1B	Maureen Corless		WIGAN MBC FOA/A
925	O	008	G	1B	I Cotham		WIGAN MBC FOA/A
926	O	014	G	1B	Margaret Catterall		WIGAN MBC FOA/A

927	O	008	G	1B	Vincent Corcoran	WIGAN MBC FOA/A
928	O	013	G	1B	Philip Holt	WIGAN MBC FOA/A
929	O	012	G	1B	A Horton	WIGAN MBC FOA/A
930	O	014	G	1B	Mr A J Horton	WIGAN MBC FOA/A
931	O	016	G	1B	C P Simpson	WIGAN MBC FOA/A
932	O	016	G	1B	G Brash	WIGAN MBC FOA/A
933	O	016	G	1B	Bernard H Shorrocks	WIGAN MBC FOA/A
934	O	016	G	1B	Brenda Ryan	WIGAN MBC FOA/A
935	O	016	G	1B	Mrs K Marsh	WIGAN MBC FOA/A
936	O	016	G	1B	Mrs A Cordell	WIGAN MBC FOA/A
937	O	016	G	1B	F Murtagh	WIGAN MBC FOA/A
938	O	016	G	1B	Mrs Vivien Rigby	WIGAN MBC FOA/A
939	O	015	G	1B	Doreen Sharples	WIGAN MBC FOA/A
940	O	014	G	1B	David Pennington	WIGAN MBC FOA/A
941	O	015	G	1b	Mrs J Tushingham	WIGAN MBC FOA/A
942	O	003	G	1B	Mr A Tushingham	WIGAN MBC FOA/A
943	O	012	G	1B	Marilyn Riding	WIGAN MBC FOA/A
944	O	016	G	1B	Edward Ryan	WIGAN MBC FOA/A
945	O	016	G	1B	Ann Gorner	WIGAN MBC FOA/A
946	O	016	G	1B	Ben Daniel Gorner	WIGAN MBC FOA/A
947	O	016	G	1B	Gabrielle Maria Gorner	WIGAN MBC FOA/A
948	O	005	G	1B	Sheila Jones	WIGAN MBC FOA/A
949	O	014	G	1B	Gary W Jones	WIGAN MBC FOA/A
950	O	014	G	1B	Allan Jones	WIGAN MBC FOA/A
951	O	018	G	1B	Mr Michael W Kelly	WIGAN MBC FOA/A
952	O	006	G	1B	Mrs V Kelly	WIGAN MBC FOA/A
953	O	009	G	1B	J A Pendlebury	WIGAN MBC FOA/A
954	O	011	G	1B	P J Pendlebury	WIGAN MBC FOA/A
955	O	008	G	1B	S Leonard	WIGAN MBC FOA/A
956	O	008	G	1B	Harry Millington	WIGAN MBC FOA/A
957	O	016	G	1B	Patricia A Donnelly	WIGAN MBC FOA/A
958	O	015	G	1B	Mary E Shorrocks	WIGAN MBC FOA/A
959	O	003	G	1B	Mrs Heather Williams	WIGAN MBC FOA/A
960	O	001	G	1B	Mrs P A Grimshaw	WIGAN MBC FOA/A
961	O	006	G	1B	Mrs Doreen Glover	WIGAN MBC FOA/A
962	O	016	G	1B	Teresa Garland	WIGAN MBC FOA/A
963	O	008	G	1B	Karen Gibson	WIGAN MBC FOA/A
964	O	016	G	1B	A Pennington	WIGAN MBC FOA/A
965	O	014	G	1B	F Heaton	WIGAN MBC FOA/A
966	O	014	G	1B	Eileen Critchley	WIGAN MBC FOA/A
967	O	015	G	1B	Mrs Eryl Cross	WIGAN MBC FOA/A
968	O	003	G	1B	Roger K Dandridge	WIGAN MBC FOA/A
969	O	015	G	1B	R J Brown	WIGAN MBC FOA/A
970	O	008	G	1B	Norah Bradshaw	WIGAN MBC FOA/A
971	O	003	G	1B	Mrs K Birkett	WIGAN MBC FOA/A
972	O	006	G	1B	Debbie Gaynor	WIGAN MBC FOA/A
973	O	014	G	1B	Margaret Cook	WIGAN MBC FOA/A

974	O	012	G	1B	Mrs P M Forster	WIGAN MBC FOA/A
975	O	007	G	1B	Mrs Edna Brown	WIGAN MBC FOA/A
976	O	007	G	1B	Mrs T Wood	WIGAN MBC FOA/A
977	O	013	G	1B	Anne Maliczewski	WIGAN MBC FOA/A
978	O	003	G	1B	Mr J W Fleming	WIGAN MBC FOA/A
979	O	004	G	1B	Mr Stanley L Brown	WIGAN MBC FOA/A
980	O	002	G	1B	Jean Haddock	WIGAN MBC FOA/A
981	O	007	G	1B	A M Catterall	WIGAN MBC FOA/A
982	O	012	G	1B	Mrs Kinsella	WIGAN MBC FOA/A
983	O	010	G	1B	Mrs Sheila Majakari	WIGAN MBC FOA/A
984	O	011	G	1B	D Glover	WIGAN MBC FOA/A
985	O	016	G	1B	W MacDonald	WIGAN MBC FOA/A
986	O	009	G	1B	Joan Quick	WIGAN MBC FOA/A
987	O	009	G	1B	Anthony Quick	WIGAN MBC FOA/A
988	O	009	G	1B	Miss A L Prescott	WIGAN MBC FOA/A
989	O	009	G	1B	Mrs B Prescott	WIGAN MBC FOA/A
990	O	009	G	1B	Barbara Parkinson	WIGAN MBC FOA/A
991	O	009	G	1B	Marian Ochwat	WIGAN MBC FOA/A
992	O	009	G	1B	Stefan Ochwat	WIGAN MBC FOA/A
993	O	016	G	1B	George Swindell	WIGAN MBC FOA/A
994	O	015	G	1B	Hazel Louise Gorner	WIGAN MBC FOA/A
995	O	016	G	1B	Andrew Gaynor	WIGAN MBC FOA/A
996	O	015	G	1B	Patricia M Shannon	WIGAN MBC FOA/A
997	O	009	G	1B	Dinah Middleton	WIGAN MBC FOA/A
998	O	009	G	1B	J Fairhurst	WIGAN MBC FOA/A
999	O	009	G	1B	T Doyle	WIGAN MBC FOA/A
A01	O	016	G	1B	Anna Louise Calder	WIGAN MBC FOA/A
A02	O	016	G	1B	Peter Cains Butchers	WIGAN MBC FOA/A
A03	O	016	G	1B	Linda Croston	WIGAN MBC FOA/A
A04	O	016	G	1B	Jane Moore	WIGAN MBC FOA/A
A05	O	016	G	1B	Friends of Ashton	WIGAN MBC A05/A
A06	O	016	G	1B	Mrs Hilary Davies	WIGAN MBC FOA/A
A07	O	016	G	1B	Paula Jayne Green	WIGAN MBC FOA/A
A08	O	016	G	1B	Joseph Garland	WIGAN MBC FOA/A
A09	O	016	G	1B	Mr James Crook	WIGAN MBC FOA/A
A10	O	016	G	1B	Mr John Crook	WIGAN MBC FOA/A
A11	O	016	G	1B	B Carney	WIGAN MBC FOA/A
A12	O	016	G	1B	Frank Brown	WIGAN MBC FOA/A
A13	O	016	G	1B	Mr J Bentham	WIGAN MBC FOA/A
A14	O	016	G	1B	M Withington	WIGAN MBC FOA/A
A15	O	016	G	1B	Helen Whalley	WIGAN MBC FOA/A
A16	O	016	G	1B	William James Wilkes	WIGAN MBC FOA/A
A17	O	016	G	1B	Joanne Young	WIGAN MBC FOA/A
A18	O	016	G	1B	John G Bradshaw	WIGAN MBC FOA/A
A19	O	016	G	1B	G Sheedy	WIGAN MBC FOA/A
A20	O	016	G	1B	Jayne Johnson	WIGAN MBC FOA/A
A21	O	009	G	1B	Mrs I B Eaves	WIGAN MBC FOA/A

A22	O	016	G	1B	Greta Kearsley	WIGAN MBC FOA/A
A23	O	016	G	1B	Margaret Thompson	WIGAN MBC FOA/A
A24	O	016	G	1B	Richard Prescott	WIGAN MBC FOA/A
A25	O	016	G	1B	John Melling	WIGAN MBC FOA/A
A26	O	015	G	1B	Yvonne Harrison	WIGAN MBC FOA/A
A27	O	016	G	1B	I R Clarence	WIGAN MBC FOA/A
A28	O	016	G	1B	Mr P Majakari	WIGAN MBC FOA/A
A29	O	009	G	1B	Brenda Edwards	WIGAN MBC FOA/A
A30	O	009	G	1B	Alan Edwards	WIGAN MBC FOA/A
A31	O	009	G	1B	Mrs M McKechnie	WIGAN MBC FOA/A
A32	O	009	G	1B	Alan Hurst	WIGAN MBC FOA/A
A33	O	009	G	1B	Thomas Hughes	WIGAN MBC FOA/A
A34	O	009	G	1B	K Hilton	WIGAN MBC FOA/A
A35	O	009	G	1B	Albert Atherton	WIGAN MBC FOA/A
A36	O	009	G	1B	Julia Allen	WIGAN MBC FOA/A
A37	O	015	G	1B	B Potter	WIGAN MBC FOA/A
A38	O	006	G	1B	Mrs K W Parker	WIGAN MBC FOA/A
A39	O	014	G	1B	Barbara Hodgkinson	WIGAN MBC FOA/A
A40	O	004	G	1B	F W Appleton	WIGAN MBC FOA/A
A41	O	012	G	1B	Alastair Stitt	WIGAN MBC FOA/A
A42	O	004	G	1B	Ian Campbell	WIGAN MBC FOA/A
A43	O	016	G	1B	Allen James Johnson	WIGAN MBC FOA/A
A44	O	016	G	1B	Mr A Simpson	WIGAN MBC FOA/A
A45	O	003	G	1B	Mr Robert Richard Hughes	WIGAN MBC FOA/A
A46	O	014	G	1B	Paul A Tushingam	WIGAN MBC A05/A
A47	O	004	G	1B	Mrs I Prescott	WIGAN MBC FOA/A
A48	O	005	G	1B	Mrs Carol Spencer	WIGAN MBC FOA/A
A49	O	015	G	1B	E J Clarence	WIGAN MBC FOA/A
A50	O	007	G	1B	Michael David Iredale	WIGAN MBC FOA/A
A51	O	015	G	1B	Warren Pennington	WIGAN MBC FOA/A
A52	O	006	G	1B	Beryl Helsby	WIGAN MBC FOA/A
A53	O	015	G	1B	Geoffrey MacDonald	WIGAN MBC FOA/A
A54	O	007	G	1B	Andrea Hilton	WIGAN MBC FOA/A
A55	O	010	G	1B	W Carney	WIGAN MBC FOA/A
A56	O	011	G	1B	M Owen	WIGAN MBC FOA/A
A57	O	008	G	1B	Matthew Tushingam	WIGAN MBC FOA/A
A58	O	016	G	1B	W D Gibson	WIGAN MBC FOA/A
A59	O	016	G	1B	Pauline Campbell	WIGAN MBC FOA/A
A60	O	015	G	1B	R Huyton	WIGAN MBC FOA/A
A61	O	016	G	1B	Alan Dean	WIGAN MBC FOA/A
A62	O	016	G	1B	D Cunliffe	WIGAN MBC FOA/A
A63	O	016	G	1B	Paula Cunliffe	WIGAN MBC FOA/A
A64	O	016	G	1B	Angela Catterall	WIGAN MBC FOA/A
A65	O	016	G	1B	George Croston	WIGAN MBC FOA/A
A66	O	016	G	1B	Cyril Catterall	WIGAN MBC FOA/A
A67	O	015	G	1B	Steven Sheehan	WIGAN MBC FOA/A
A68	O	016	G	1B	Bernard Mattison	WIGAN MBC FOA/A

A69	O	016	G	1B	A I Bullough		WIGAN MBC FOA/A
A70	O	016	G	1B	Mrs Dawn Wilson		WIGAN MBC FOA/A
A71	O	016	G	1B	Mrs K Maddocks		WIGAN MBC FOA/A
A72	O	016	G	1B	R F Bullough		WIGAN MBC FOA/A
A73	O	016	G	1B	Cissie Garston		WIGAN MBC FOA/A
A74	O	016	G	1B	George McCathie		WIGAN MBC FOA/A
A75	O	016	G	1B	Susan Holt		WIGAN MBC FOA/A
A76	O	016	G	1B	David Thompson		WIGAN MBC FOA/A
A77	O	016	G	1B	Natalie Gibson		WIGAN MBC FOA/A
A78	O	016	G	1B	Mr S J Winstanley		WIGAN MBC FOA/A
A79	O	016	G	1B	Mr P Redmond		WIGAN MBC FOA/A
A80	O	016	G	1B	Mrs M Leyland		WIGAN MBC FOA/A
A81	O	016	G	1B	Mrs H M Francis		WIGAN MBC FOA/A
A82	O	016	G	1B	Mrs J Smith		WIGAN MBC FOA/A
A83	O	016	G	1B	J Marsh		WIGAN MBC FOA/A
A84	O	016	G	1B	Derek Woods		WIGAN MBC FOA/A
A85	O	016	G	1B	Mrs Sheila Dandridge		WIGAN MBC FOA/A
A86	O	016	G	1B	Mrs M Johnson		WIGAN MBC FOA/A
A87	O	016	G	1B	Freda Woods		WIGAN MBC FOA/A
A88	O	016	G	1B	Daniel Gibson		WIGAN MBC FOA/A
A89	O	016	G	1B	Roy Calder		WIGAN MBC FOA/A
A90	O	016	G	1B	Mrs M Crossley		WIGAN MBC FOA/A
A91	O	016	G	1B	Valerie Middleton		WIGAN MBC FOA/A
A92	O	016	G	1B	Mrs H Harris		WIGAN MBC FOA/A
A93	O	016	G	1B	M W Doyle		WIGAN MBC FOA/A
A94	O	016	G	1B	Mr L Prescott		WIGAN MBC FOA/A
A95	O	015	G	1B	W A Payne		WIGAN MBC FOA/A
A96	O	016	G	1B	P J Huyton		WIGAN MBC FOA/A
A97	O	015	G	1B	D A Payne		WIGAN MBC FOA/A
A98	O	015	G	1B	Mrs Hilda Payne		WIGAN MBC FOA/A
A99	O	013	G	1B	Lisa Greenhalgh		WIGAN MBC FOA/A
B05	O	016	G	1B	E Brash		WIGAN MBC FOA/A
B06	O	007	G	1B	Barbara Conway		WIGAN MBC FOA/A
B07	O	004	G	1B	Janette Cunliffe		WIGAN MBC FOA/A
B30	O	001	G	1B	Mr Kinsella		WIGAN MBC FOA/A
B31	O	012	G	1B	William E Coyle		WIGAN MBC FOA/A
B32	O	016	G	1B	Kathleen Jones		WIGAN MBC FOA/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
418	S	025	G	1B	GMPTE		

Main Issues

Whether this policy is appropriate, having regard to:

- the examples of potential subject matter;
- the guidance of Circular 05/2005;

- the scope of the policy;
- the meaning of the term ‘inclusive environment’;
- the nature of windfall sites.

Inspector’s Considerations and Conclusions

The examples of potential subject matter

15.6 RDD policy G1B presents situations which it anticipates may be among those which will justify the LPA seeking a planning obligation under the terms of s106 of the Town and Country Planning Act 1990. An objector argues that the list of examples is unnecessarily detailed and is little more than a ‘wish list’. The key test is whether an obligation conforms to the advice of Circular 05/2005. Because the list of examples cannot be exhaustive, and because particular planning applications will generate specific situations which are not listed in clauses (a) to (k) it is my view that the policy, as drafted, does not make a helpful contribution to the achievement of satisfactory development schemes.

15.7 I conclude that the policy could be more effectively expressed by providing that if, in respect of a particular planning application, it is necessary to restrict the development or use of the land, require operations or activities to be carried out in, on, over or under the land, require the land to be used in any specified way or require payments to be made to the Local Planning Authority, the LPA will consider whether it is appropriate to seek a planning obligation under s106 of the Town and Country Planning Act 1990. Any such obligation must conform to the advice of Circular 05/2005.

The guidance of Circular 05/2005

15.8 At RDD stage the LPA has inserted text into the reasoned justification for policy G1B to remind the users of the plan that the extent of what is required under a planning obligation must meet all of the tests laid down in the now superseded Circular 1/97 (now Circular 05/2005). Contrary to the views of objectors that its meaning is unclear, I regard this as a very necessary reference to a document which provides essential guidance on the proper use of planning obligations. The text should, however, be updated to refer to Circular 05/2005.

The scope of the policy

15.9 An objector argues that elements (d), (e) and (j) should be clarified to confirm that they include the provision of public toilets within new developments. The provision of such facilities is encompassed within element (d) as a community facility, so long as the need for this arises directly from the development or its impact. I have, however, for the reasons I give earlier in this section, concluded that this policy should be re-worded to exclude reference to the examples of circumstances in which planning obligations should be sought. An objector refers to the need for Transport Assessments to be carried out for particular forms of development. The plan is to be read as a whole in conformity with the

advice of PPG12 that it should be succinct. Transport Assessments are provided for in policy A1A.

The meaning of the term 'inclusive environment'

15.10 At RDD stage the LPA added clause (j) to policy G1B which refers to improvements to secure a more inclusive environment. Objectors argue that this term requires definition. The introduction to the RDD informs that the document is to be read as a whole. The term is defined within the reasoned justification to policy A1C.

The nature of windfall sites

15.11 Although the wording of policy G1B and its reasoned justification makes no reference to brown-field windfall sites, an objector argues that these should be shown on the proposals map to help potential developers and residents anticipate the likely future opportunities for development. The document 'Tapping the Potential', which is a companion document to PPG3, defines windfall sites as previously developed land that has not been specifically identified as available in the development plan process. By their very definition they are not appropriate for identification on the proposals map. They come forward for development at the initiative of developers. As PPG3 advises an allowance is made for their likely contribution to the housing land supply.

Recommendation

I recommend:

(REC 15.4) that the RDD be modified by the deletion of policy G1B and its replacement as follows. 'If, in determining applications for planning permission, it is necessary to restrict the development or use of land, require operations or activities to be carried out in, on, over or under land, require land to be used in any specified way or require payments to be made to the Local Planning Authority, the Council will consider whether it is appropriate to seek a planning obligation under s106 of the Town and Country Planning Act 1990. Any such obligation must conform to the advice of Circular 05/2005'.

(REC 15.5) that the RDD be modified by the deletion of the reference to Circular 1/97 within the reasoned justification to policy G1B and its replacement with a reference to Circular 05/2005.

(REC 15.6) that no other modification be made to the RDD in response to these objections.

G1C DEVELOPMENT AND FLOOD RISK

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
682	O	001	G	1C	English Nature		WMBC 682/A

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
424	O	037	G	1C	Government Office for the North West		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
682	O	043	G	1C	English Nature		WMBC 682/A
747	O	022	G	1C	Wigan Borough Action Group		WIGAN MBC 747/A

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
381	S	008	G	1C	Mrs A J Smith - County Bird Recorder		
395	S	002	G	1C	Leigh, Atherton, Astley, Tyldesley Bridleways.		
421	S	003	G	1C	Mrs E M Stephenson		

Supporters of Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
747	S	021	G	1C	Wigan Borough Action Group		

Main Issues

Whether this policy is appropriate, having regard to:

- the scope to reduce the incidence of flooding;
- the requirement for a flood risk assessment;
- nature conservation interests.

Inspector's Considerations and Conclusions

The scope to reduce the incidence of flooding

15.12 RDD policy G1C provides that development will not be permitted which will be subject to an unacceptable risk of flooding, create an unacceptable increase in the risk of flooding on-site or elsewhere, adversely affect the water environment as a result of an increase in surface water run-off, harm existing or proposed flood defences, interfere with flood control and maintenance works or include the culverting of water courses.

15.13 An objector argues that protection from flooding could be enhanced by working with nature. In particular, greater use should be made of the natural water retention capacities of upper catchments and flood plains. The UDP is constrained, however, to present policies which relate to the area of Wigan Borough. The upper catchments and much of the flood plains of the water courses which flow through the Borough lie outside its area. The policy is, therefore, appropriately limited to preventing development that would harm the interests of acknowledged importance reflected in the stated criteria. Although it is not directed to the reduction of the incidence of flooding it is intended to prevent an increase in the harm caused by such flooding as does occur. Another objector seeks to secure that development does not result in the discharge of untreated sewage to watercourses. The plan is to be read as a whole. This matter is dealt with in policy EV1B(b).

The requirement for a flood risk assessment

15.14 At RDD stage the reasoned justification to policy G1C informs that a flood risk assessment will be required where it is considered that there would be an increased risk of flooding as a result of development, or the development itself would be at risk of flooding. An objector argues that this should be deleted and replaced with advice that a flood risk assessment will be required on all sites where there is a risk of flooding. That wording would give far less protection to vulnerable development than that proposed in the RDD because it would apply only to the sites where development is proposed. The RDD wording deals also with the consequences of development on one site for flooding on another.

Nature conservation interests

15.15 An objector argues that the reasoned justification for the policy should recognise the biodiversity value of flood plains. The UDP is to be read as a whole. Nature conservation matters are addressed by policies EV2 and EV2A to EV2E.

Recommendation

I recommend:

(REC 15.7) that no modification be made to the RDD in response to these objections.

G1D RENEWABLE ENERGY

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
002	O	009	G	1D	Red Rose Forest		WMBC 002 G1D
572	O	114	G	1D	Peter Sargeant FRTPI		WIGAN MBC 572/A
747	O	049	G	1D	Wigan Borough Action Group		WIGAN MBC 747/A

Supporters of Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
883	S	001	G	1D	Future Energy Solutions	Terence O'Rourke	

Main Issues

Whether this policy is appropriate, having regard to:

- the nature of the development plan;
- the scope of the policy;
- the need for a specific reference to wind turbines;
- grammatical aspects.

Inspector's Considerations and Conclusions

The nature of the development plan

15.16 RDD policy G1D provides that proposals for renewable energy development will be permitted provided that stated criteria are satisfied. An objector argues that this policy should be re-drafted to reflect the provisions of policy ER15 of the Partial Review of RPG13. He advocates that the re-worded policy should make particular reference to the effect of the scheme on the character of the landscape and ecology, mitigation measures, the contribution to renewable energy targets, other policies of the plan, the need for active consultation by developers, the integration of renewable energy into large scale new developments and that it should support renewable energy for heating.

15.17 Under the terms of the Planning and Compulsory Purchase Act 2004 (Section 38) RPG now has the status of Regional Spatial Strategy. It is an integral part of the development plan. All of the specific matters identified by the objector are referred to within policy ER15. There is, therefore, no need to repeat them in the UDP.

The scope of the policy

15.18 An objector argues that an additional criterion should safeguard residential amenity against noise, smoke and airborne pollution. He notes that policy G1A attempts to do this but incorporates the word 'excessive' in clause (a) which weakens its effect. I concur that residential amenity should be protected from these potential effects. In the

interests of concision I consider that this matter is best dealt with in policy G1A but concur with the objector that clause (a) of that policy sets an inappropriate threshold for the consideration of harm. PPS1 (paragraph 19) advises that ‘significant adverse impacts’ on the environment should be avoided. For this reason I conclude that policy G1A should incorporate that wording as the appropriate threshold. I present my recommendation on this matter in the section of this report which relates to policy G1A. Because the plan is to be read as a whole, there is no need to duplicate this provision within policy G1D.

15.19 An objector notes that, in the Sustainability Appraisal (Appendix 7), the LPA has identified a significant positive impact between policy G1D and criterion 12 (Housing). He considers this to be inappropriate. I conclude that the LPA’s appraisal is correct because policy G1D will support residential development consistent with the achievement of a sustainable pattern of settlement.

The need for a specific reference to wind turbines

15.20 An objector argues that a specific reference to the role of wind turbines should be made within policy G1D. The policy title and its wording embrace all forms of development related to renewable energy. Under its terms wind energy developments would be permitted if they satisfied its terms and those of other relevant UDP policies. No specific reference to this particular source of renewable energy is, therefore, necessary.

Grammatical aspects

15.21 RDD policy G1D(b) provides that proposals for renewable energy developments will be permitted provided that no electromagnetic disturbance is likely to be caused to existing transmitting or receiving systems or that adequate measures will be taken to remedy or mitigate such disturbance. An objector argues that this reads awkwardly and the LPA concurs. It advocates the replacement of the second word ‘or’ with ‘and’. This would, however, require mitigation measures even where no electronic disturbance would be caused.

15.22 As drafted the RDD wording provides for the grant of planning permission in two situations. Either that no interference arises or that it does and adequate mitigation measures will be taken to remedy or mitigate this. For this reason I conclude that the RDD wording should not be modified.

Recommendation

I recommend:

(REC 15.8) that no modification be made to the RDD in response to these objections.

GENERAL POLICY OMISSION

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
002	O	006	OM		Red Rose Forest		WMBC 002/A

Draft Deposit Objections Unconditionally Withdrawn.

Ref No	a	b	c	d	Name	Agent	Response Ref.
424	O	039	OM		Government Office for the North West		

Main Issue

Whether the UDP should incorporate a policy on renewable energy.

Inspector's Considerations and Conclusions

15.23 At FDD stage an objector argues that the UDP should include a policy on renewable energy. The LPA concurs and, at RDD stage, has inserted policy G1D within the plan to deal with this matter. The further objection by this objector, at RDD stage, to the content of that policy is dealt with in the section of this report which relates to policy G1D.

Recommendation

I recommend:

(REC 15.9) that no modification be made to the RDD in response to this objection.