

EM1A 1 STONE CROSS PARK, GOLBORNE

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
018	O	001	EM	1A	Mrs Lynda Hunt		WMBC EM1A 1
572	O	047	EM	1A	Peter Sargeant FRTPI		WIGAN MBC 572/A

Main Issues

Whether this policy is appropriate, having regard to:

- the boundaries of the Primary Employment Area;
- the width of the corridor along Millingford Brook.

Inspector's Considerations and Conclusions

The boundaries of the Primary Employment Area

7.109 An objector argues that the boundaries of the Primary Employment Area at Stone Cross Park, Golbourne, should be extended to include the adjacent public house, motel and fast food restaurant and also the traffic roundabout which lies to the north of these. The stated purpose of policy EM1A is, however, to provide that proposals for the development of land for B1, B2 and B8 or other employment uses will be permitted within the designated area subject to satisfying stated criteria. The areas referred to by the objector are not in those uses, as clarified by the definition text which forms part of the reasoned justification to policy EM1. Nor is there any reason to conclude that a change from their present uses to the defined employment uses would be beneficial since it would reduce the range of facilities available to the public in this area.

7.110 The objector contends that a minor change should be made to the boundary of the EM1A1 designation so that, instead of running along the lower, eastern, edge of the landscape bund to the rear of houses in Stone Cross Avenue North, it would run along its crest. Such an alignment would be consistent with the boundary elsewhere at the northern edge of the designation. It would, however, deliver no tangible benefit in relation to interests of acknowledged importance. It would move the employment land designation some 10m further from the rear of adjacent dwellings but the amenity of their occupiers would, in any case, be secured by the provisions of policies EM1A and G1A. For these reasons I conclude that no modification should be made to the boundaries of Primary Employment Area EM1A1.

The width of the corridor along Millingford Brook

7.111 RDD Appendix 3, notes that development of the remaining land adjacent to Millingford Brook should ensure that a 5m corridor free from development is retained alongside the brook. An objector argues that it should be considerably wider, but this is the dimension specified by the Environment Agency for access to the brook. The same

objector contends that future development at Stone Cross Park should incorporate a higher standard of landscaping. The plan is to be read as a whole. Policies EV3A and EV3D ensure that good quality landscaping is incorporated as an integral part of all future proposals.

Recommendation

I recommend:

(REC 7.9) that no modification be made to the RDD in response to these objections.

EM1A 6 PARSONAGE, LEIGH

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
254	O	001	EM	1A	Damian Boddy		WMBC EM1A 6
720	O	002	EM	1A	Brookhouse Group Limited	How Planning	WIGAN MBC

Main Issues

Whether this site should be allocated for a comprehensive mixed-use redevelopment comprising employment uses and retail uses for bulky goods and associated retail sales only, having regard to:

- the need for an out-of-centre retail development at Leigh;
- whether there is a sequentially preferable location for an out-of-centre retail development;
- the impact of an out-of-centre retail development on Leigh town centre;
- the accessibility of the proposed out-of-centre retail development by a choice of transport modes;
- the role of retail development in securing the deliverability of employment development;
- the merits of extending the Primary Employment Area.

Inspector's Considerations and Conclusions

The need for an out- of- centre retail development at Leigh

7.112 The proposed Primary Employment Area at Parsonage, Leigh, has an overall area of some 23.6ha of which 18.2ha was available for development at both December 2001 and January 2004. Instead of it being developed in its entirety for employment purposes an objector seeks its allocation for a comprehensive mixed-use redevelopment comprising employment uses and retail uses for bulky goods and associated retail sales only. The objector proposes that the total gross retail floor space would not exceed 6,000 sq m. At the inquiry it was confirmed on behalf of that body that the retail buildings, together with related service yards and car parking would be confined to about 9.8% of the site, i.e. about 1.8ha out of the total of 18.2ha.

7.113 PPS6 advises that among the Government's objectives is to promote the vitality and viability of town centres. In drawing up their development plans LPAs should, after considering the need for new development, adopt a sequential approach to selecting sites for new retail development. This means that first preference should be for sites in appropriate existing centres followed by edge-of-centre sites with a preference for sites that are or will be well connected to the centre, and only then by out-of-centre sites in locations that are accessible by a choice of means of transport and which are close to the centre and have a high likelihood of forming links with the centre. Uses which attract a

large number of people should be located within centres that reflect the scale and catchment of the development proposed.

7.114 RPG13 (policy EC8) provides that where a need is established for retail development, and where the application of the sequential approach has indicated that no suitable town centre sites are available, new or expanded developments in urban areas will be considered where their function forms the core of a mix of uses, including housing, and only then when public transport is accessible.

7.115 The Parsonage land is the partially reclaimed site of a former colliery. It is located on the west side of the A579 Atherleigh Way to the north west of Leigh town centre. To the south is the established Parsonage retail park containing a Sainsburys supermarket and seven other multiple retailers. To the north is a large Asda supermarket. To the west is an extensive residential area. To the east, across Atherleigh Way, is an existing large DIY store and an area of playing fields which is proposed to be allocated by RDD policy S1H for a non-food retail development comprising bulky goods and associated retail sales only. Planning permission has now been granted for this development. Both the LPA and the objector concur that both the site which is the subject of policy S1H and the retail development proposed by the objector at allocation EM1A6 are in out-of-centre locations.

7.116 Both the objector and the LPA have examined the need for additional retail development at Leigh. The objector has examined the potential for a growth in expenditure on comparison goods in this area, the scope to 'claw back' a 'leakage' of such expenditure to other centres and the extent to which existing retailers in Leigh town centre may be 'over trading' and, therefore, indicate a potential for diversion of trade to other enterprises. On the basis of this he identifies not only a quantitative need for additional retail floor space at Leigh but also a qualitative need which arises from limitations in the local comparison bulky goods offer.

7.117 The growth in expenditure was examined by the objector via a survey of 1,000 households within a 10 minute drive time of Leigh town centre. The LPA agrees that this number provides a robust basis for assessment. The study period was from 2004 to 2008. The exercise indicated that, over this period, there is likely to be a growth of expenditure on comparison goods of some £80m within the catchment area of Leigh town centre. The objector assumes that about two-thirds of this would continue to be spent outside Leigh. Of the remaining £27m he assumes that some £6m will be consumed by existing businesses which will improve their turnover above the rate of inflation and some £15m will be absorbed by the retail development proposed on site S1H. This would leave about £6m available to support the objector's retail scheme.

7.118 The objector acknowledges that this is insufficient, in itself, to support his proposed retail element but argues that this could be augmented by clawed-back expenditure which is, at present, leaking to other town centres. His survey established that over 58% of the potential expenditure on comparison goods within the catchment area of Leigh town centre is spent at Bolton, Manchester, Salford, Trafford, Wigan town

centre and Warrington. He argues that an improved comparison goods offer would divert some of this back to the Leigh town centre catchment.

7.119 The objector also examined the extent to which retailers within the Leigh town centre catchment may be over-trading at present. On the basis of national company average sales densities he calculates that the retailers in the study area should be turning-over at some £130m in total, but his market share analysis indicates that about £170m is spent in the study area. Even when the retail development on site S1H is allowed for (on the basis that it would commence trading in 2008) he still considers there to be a significant level of over-trading in the Leigh town centre catchment area. The objector argues that his household survey indicates that, on average, the retailers in Leigh town centre are turning-over at double the expected level. The retail parks related to Leigh town centre are over-trading by about 50%.

7.120 The objector argues that, taken together, the expected growth in expenditure, the potential to claw-back leakage and the extent of over-trading indicate that there is sufficient spending capacity to support his proposed retail element at the Parsonage site. To the extent that his proposed development diverts existing and future expenditure that would go to other retail centres in the wider sub-region, it would promote a sustainable pattern of development by reducing the need to travel.

7.121 The LPA, in 2001, appointed consultants to undertake a Borough-wide shopping study to assess the general need for further food and non-food retail development in the Borough between 2001 and 2016, to inform the UDP review. Current shopping patterns were investigated and a retail model was developed on the basis of the evidence derived from the shopping survey. When this evidence was combined with expenditure patterns for the Borough it was evident that there was capacity for additional retail development in a number of centres by 2016.

7.122 In relation to Leigh town centre the study confirmed that this achieved a relatively low local market share for non-food shopping. There was leakage of higher order shopping trips to Bolton and Manchester. It identified capacity for an extra 4,683sq m of non-food retail development over the period to 2016 based on maintaining Leigh town centre's current market share. On the basis of this study the LPA has proposed the allocation for retail purposes of site S1H on the east side of Atherleigh Way near to the objector's site. It has granted planning permission for some 7,432 sq m gross of bulky goods (non-food) retail warehousing there on the basis that this can be justified by the combination of likely expenditure growth and an extension of market share.

7.123 The objector's survey asked where the respondent had last shopped for comparison goods and, on the basis of that answer, 100% of expenditure on these was assigned to that centre. The LPA argues that the survey should have asked where the respondent normally did their shopping for comparison goods and then the figure should be reduced by 15% to allow for expenditure elsewhere. The parties differ on whether, on the basis of a 1,000 household sample, the responses would even themselves out by embracing not only first but also second and third choices of destination. The objector

concedes that there is no certainty either way because retail studies should not be regarded as a precise science.

7.124 The LPA argues that, if a 15% reduction is applied, there is no quantifiable capacity for spending to support the objector's retail proposal at either 2004 or 2008 once development at the SIH site has been taken into account. I note, however, that the 15% factor, itself, is an arbitrary figure based on judgement rather than evidence. The catchment area examined by the objector contains some 187,000 population. On the basis of the spending generated by such a number, the variation of the 15% factor by a small amount either way could swamp any conclusions reached by other elements of the analysis.

7.125 The objector's study concludes that the retail facilities in Leigh town centre have an average sales density of £7,387 per sq m. The LPA challenges this on the basis that leading retailers do not achieve such high figures. Marks & Spencer typically achieves £5,738 per sq m. John Lewis achieves £6,543 per sq m. It argues that it is unrealistic for the objector to assert that every square metre of retail floor space within Leigh town centre is outperforming the company averages achieved by leading national retailers, many of which are not even represented there.

7.126 It is clear from my inspection of Leigh town centre that this area, while containing several national scale retailers in substantial premises, is dominated by small local shops. There is no indication from the physical condition of the retail centre or from on-going schemes to redevelop properties in the town centre to maximise their potential, that the objector's estimates reflect actuality. This comparison between the estimated and the observable condition of Leigh town centre indicates that the element of the objector's estimate that relates to over-trading may not be reliable. Conversely, if that estimate is correct, it is unlikely that trade would be leaking to any tangible extent from Leigh to other places. Instead it would be likely that those other places would be seeking to claw back trade from Leigh.

7.127 The objector's calculations show that the growth in available expenditure alone is not sufficient to support his retail proposal. The elements of his analysis which relate to claw-back and overtrading do not support an unambiguous conclusion that expenditure can be diverted from Leigh town centre to supplement this without harming its vitality and viability.

7.128 Even if there is over-trading in Leigh town centre, as the objector argues, there would be a justification in planning terms for making provision for its transfer to a new facility on another site only if that over-trading was causing demonstrable harm to interests of acknowledged importance in policy terms. No evidence was presented to the effect that overtrading has manifested itself in any such harm, for example in terms of increased congestion within or around shops or by the pressure for redevelopment to capitalise on uncharacteristically high retail demand leading to proposals for an intensity of development that could not be accommodated without harm to the established character or appearance of the town centre conservation area. I conclude that a need for

additional retail floor space in an out-of-centre location has not been clearly demonstrated.

Whether there is a sequentially preferable location for an out-of-centre retail development

7.129 Prior to the inquiry the LPA argued that there were sequentially preferable sites to that proposed for retail development at the Parsonage. At the inquiry, however, it concurred with the objector that this was not the case.

7.130 An objector (Ref 720/0/001/S1H) objects to policy S1H (Retail Development at the Leigh East ARLFC Site, Leigh) seeking its deletion on the basis that the site is in use for playing fields and the objector's site is derelict land. The LPA confirms that it was minded to grant planning permission for its retail development and has subsequently done so. The decision to grant planning permission on this out-of-centre site was based, in part, on the advice of LPA officers that there were no sequentially preferable sites.

7.131 At the inquiry into the RDD the LPA, as I note above, confirmed that there were no sequentially preferable sites in relation to that promoted by the objector at the Parsonage, which is situated over the road from the Leigh East ARLFC site. If the LPA had maintained its earlier stance, that there were such sites, this would have called into question the validity of the LPAs approach to the Leigh East ARLFC site and would have required it to reconsider its decision. However, the confirmation that sequentially preferable sites did not exist allowed it to proceed to its decision to grant planning permission on that land. This, in turn, allowed objector Ref: 720/0/001/S1H to withdraw his objection on the basis that the future of the Leigh East ARLFC site had already been decided, conditional on the LPA maintaining this stance, which it did. I have based my conclusions in this section of the report on the understanding that the LPA concurs with the objector that there are no sequentially preferable sites to that presented by an objector for retail development on land at Parsonage, Leigh.

The impact of an out-of-centre retail development on Leigh town centre

7.132 The objector argues that Leigh is a healthy town centre and that the limited diversion of trade resulting from his proposed retail development at the Parsonage site would have no negative effects on its vitality and viability. Witnesses for the LPA concurred at the inquiry, that retail development of the scale proposed on that site would not have a significantly detrimental impact on vitality and viability but noted that this was not the test to be applied, having regard to the advice of the then extant PPG6.

7.133 PPS6 (paragraph 1.3) confirms that the first of the stated Government objectives for town centres is to promote their vitality and viability. This guidance, in my view, seeks to ensure that the retail qualities of a town centre are, at the very least, maintained in their present condition and, if possible, improved. Even if I was confident that the extent of over-trading at Leigh town centre, identified by the objector, represents an accurate picture of the situation, the diversion of trade to an out-of-centre location would

not achieve that objective. Because, for the reasons I give, I have significant doubts that it does represent the true situation, there is no basis on which I can confidently support a decision which would depart from recently issued Government guidance.

7.134 The objector's proposal, by promoting the retail development of a vacant site between two existing retail developments, would create a consolidated continuous belt of retail activity for some 800m along the frontage to a well used main road. By physically consolidating what is, at present, a fragmented retail facility and by extending the range of goods sold there, it would render it a much more convenient one-stop shopping destination than it is at present. This would reduce whatever scope there is at present for linked trips (albeit mostly by car) to the established Leigh town centre. This consideration leads me to conclude that, rather than having a neutral influence on the fortunes of Leigh town centre, the objector's proposal would contribute to its progressive decline.

The accessibility of the proposed out-of-centre retail development by a choice of transport modes

7.135 The site at Parsonage is capable of being made easily accessible by the private car. At present bus stops are at the maximum acceptable walking distance but I have no doubt that this situation could be improved upon, possibly as an aspect of the development of the site. If developed for retail, the Parsonage site would link two existing and separate retail developments. No doubt pedestrian links could be created between them. To that extent the scheme could promote linked trips on foot within the extended out-of-centre retail development as a whole.

7.136 The objection site is, however, somewhat remote from the established town centre of Leigh, being separated from it by an extensive residential area and the busy A579 Atherleigh Way. Even from the nearest, western, end of that area at the junction of King Street, Bradshaw Gate and Railway Road it is some 900m to the centre of the frontage of the proposed retail site when using the most obvious route along Railway Road and Atherleigh Way. A two way trip between the two retail locations would be some 1.8m. This is unlikely to be an attractive proposition when carrying shopping or in inclement weather. PPS6 (paragraph 3.25) advises that account should be taken of whether access is easy, safe and convenient for pedestrians. I consider that, even with the benefit of a light controlled pedestrian crossing, the busy A579 would remain a significant barrier to movement. Distance and this physical feature would, in my view, combine to ensure that the proposed retail development would lack accessibility by that most vital of transport modes, linked trips on foot to and from the established retail area of Leigh town centre.

The role of retail development in securing the deliverability of employment development

7.137 The objector argues that, while the Parsonage site is capable of being a good employment site, attractive to locally based developers, this end use alone is not sufficient to sustain profitable development because of high abnormal costs. These derive from the need to deal with residual site contamination and mine shafts, together with the construction of a bridge to link the land on the west and east sides of Westleigh Brook.

The objector, furthermore, regards the site as being remote from the major highway network. He considers that this factor is likely to reduce demand and hence market value. The achievement of employment development on the majority of the site can only, it is argued, be secured by cross-subsidy from a retail development on its frontage to Atherleigh Way.

7.138 Wigan achieves significantly lower employment land values and rents than competing areas in the sub-region, i.e. only some £400,000 per ha for prime sites compared with £500,000 per ha in Bolton and £800,000 per ha in Trafford. The objector identifies a recent increase in demand for industrial land and buildings in secondary areas of Greater Manchester and Merseyside, such as Wigan. He argues, however, that there have been few examples of speculative industrial development within the Borough that have been undertaken without grant assistance. In the case of the Parsonage site he identifies a funding gap of some £16m to £18m if the site is to be developed entirely for employment uses. The LPA confirms that, although Wigan is within a Development Area and is eligible to receive the highest levels of grant aid in the UK (with the sole exception of Merseyside), there is no instance of a funding gap of that magnitude being met by grant aid. The LPA does, however, argue that only the cost of site clearance, bridge works and ground remediation are in excess of normal development costs. In the estimation of the LPA these amount to some 7% of the total costs of developing the site for employment purposes. They do not represent an excessive figure for Wigan.

7.139 There is a direct conflict of evidence between the objector and the LPA on whether, in the absence of an element of retail development, all or the major part of the site can be developed for employment uses even with the use of grant aid. If I accept the objector's argument then, in the absence of a retail element, there is no prospect of its employment development in the plan period. Having regard to the advice of PPG12 (paragraph 6.24) that the provisions of development plans must be realistic and capable of being implemented in the plan period, I must recommend that the employment allocation be deleted from the RDD. The LPA is, however, confident that the Parsonage site represents a viable employment land resource. It points to the recent development of the Pataks business on part of this Primary Employment Area to support its view.

7.140 It is, furthermore, clear from the objector's own evidence, and from the study of the Atherleigh Way corridor by the DTZ Pida Consultancy, that Atherleigh Way to the south of the Parsonage roundabout provides a high quality fast connection to the A580 dual carriageway. That roundabout is said to be a choke point, but my own experience at all times of day is that delays are not more than a few minutes. They are of no significance on a journey of any length. This locational aspect, combined with the potential to provide at least part of the Primary Employment Area with a frontage to a main road, supports the LPA view that some if not all of the site could be developed for employment in the plan period. On the basis on the conflicting evidence presented, I consider that there is insufficient justification for me to recommend deletion of the site from the RDD.

7.141 For all these reasons I conclude that employment land allocation EM1A6 should remain as part of the employment resource identified within the RDD and that it should not be allocated for a comprehensive mixed use development incorporating a retail element.

The merits of extending the Primary Employment Area

7.142 An objector argues that allocation EM1A6 should be extended by the incorporation of an area of land bounded, on the north, by the footpath to the north of Parsonage Farm, on the west by Westleigh Brook and on the east by existing development. This area could gain access only from Kirkhall Lane, however. It should, for these reasons, be regarded as a proposal for an additional employment site rather than as an extension to EM1A6.

7.143 Insufficient information is provided about this area, the implications of employment development for the safe and free flow of traffic, and the effect on adjacent land uses, to enable me to determine whether it would be an acceptable addition to the employment land resource. I am, therefore, unable to recommend that the land be allocated for that purpose. For the reasons I give, in the section of this report which relates to policy EM1 I have recommended that the RDD be modified by the designation of sufficient land to make realistic provision for at least an additional 91ha of employment land over and above that already identified in that document. It is for the LPA to decide which sites to promote for this purpose. I note that, in the case of this site, considerations of access and the constraints imposed by the need to retain the Westleigh cricket ground are likely to be relevant factors.

Recommendation

I recommend:

(REC 7.10) that no modification be made to the RDD in response to these objections.

EM1A 7 BRIDGEWATER, LEIGH

Objections to Draft Deposit

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
532	O	003	EM	1A	Waterside Property Investments LLP	M L Ralph	
532	O	006	EM	1A	Waterside Property Investments LLP	M L Ralph	

Objections to Revised Deposit

Revised Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
532	O	008	EM	1A	Waterside Property Investments LLP	M L Ralph	
532	O	009	EM	1A	Waterside Property Investments LLP	M L Ralph	

EM1A 8 HOPE CARR/LEIGH COMMERCE PARK, LEIGH

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
580	O	001	EM	1A	Arrowcroft Northwest		WMBC 580 EM/EV

Main Issue

Whether this policy is appropriate, having regard to the extent of the area with a commitment to employment uses.

Inspector's Considerations and Conclusions

7.144 An objector argues that the Primary Employment Area at Hope Carr/Leigh Commerce Park should be extended to include land to the south west of Greenfold Way, which is shown on the proposals map as part of a Site of Biological Importance (SBI). This area is included within the employment allocation in the adopted UDP but has been included within the designated SBI since 1997. It is now excluded from the employment area in the RDD. PPG12 (paragraph 2.22) confirms that it is the role of plan reviews to reassess existing site allocations. The only reason given by the objector to justify the retention of the previous allocation is that the land has planning permission for employment (Ref: A/43919/95). That planning permission relates to a different area of land, some 200m to the east, however. On the basis of the limited information presented to me there is no basis on which I can conclude that a reversion to the earlier allocation is justified.

Recommendation

I recommend:

(REC 7.11) that no modification be made to the RDD in response to this objection.

EM1A 11 CHANTERS INDUSTRIAL ESTATE, HINDSFORD

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
727	O	025	EM	1A	Greater Manchester Ecology Unit		WMBC EM1A 11

Main Issue

Whether this policy is appropriate, having regard to the depiction of the Primary Employment Area on the proposals map.

Inspector's Considerations and Conclusions

7.145 At both FDD and RDD stages the Chanters Industrial Estate, Hindsford, has been wrongly numbered on the proposals map as EM1A16, instead of its correct reference EM1A11. The LPA notes this error and intends to remedy it when the proposals map for the adopted replacement UDP is printed.

Recommendation

I recommend:

(REC 7.12) that the RDD be modified by the use of reference EM1A11 to denote the Chanters Industrial Estate.

(REC 7.13) that no other modification be made to the RDD in response to this objection.

EM1A 12 GIBFIELD, ATHERTON

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
456	O	007	EM	1A	Chris Findley		WMBC 456
567	O	002	EM	1A	Eddisons	Indigo Planning	WMBC EM1A 12/R1A
702	O	021	EM	1A	Tesco Stores Limited	The Development Planning Partnership	WMBC EM1A 12/R1A

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
561	O	001	EM	1A	Gibfield Park Group	Atkins Planning Consultants	

Supporters of Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
561	S	003	EM	1A	Gibfield Park Group Ltd	Atkins Planning Consultants	

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
583	O	036	EM	1A	Peel Investments (North) Ltd	Halliwell Landau	WIGAN MBC 583/A
702	O	038	EM	1A	Tesco Stores Ltd	The Development Planning Partnership	WMBC EM1A 12/R1A
747	O	036	EM	1A	Wigan Borough Action Group		WIGAN MBC 747/A
747	O	102	EM	1A	Wigan Borough Action Group		WIGAN MBC 747/A
768	O	005	EM	1A	Janette Thomas		WMBC EM1A 12/R1A

Main Issue

Whether this policy is appropriate, having regard to the merits of removing land from the adopted green belt.

Inspector's Considerations and Conclusions

7.146 The Primary Employment Area at Gibfield (EM1A12) lies at the western edge of Atherton and consists of established industrial/commercial premises, an area of some 6.8ha that has received planning permission for a business park and on which development has now commenced, some 2.75ha of available employment land at Coal Pit Lane, and a further area which is at present poor quality grassland which covers tipped and spread colliery spoil within the adopted green belt. The RDD (Appendix 1) presents the boundaries of the area which it proposes to remove from the adopted green belt with a view to its development for employment purposes. This latter area has been increased at RDD stage from that identified in the FDD.

7.147 PPG2 advises that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open. The most important attribute of green belts is their openness. The essential characteristic of green belts is their permanence. Their protection must be maintained as far as can be seen ahead. Once the general extent of a green belt has been approved it should be altered only in exceptional circumstances. If such an alteration is proposed, the Secretary of State will wish to be satisfied that the LPA has considered opportunities for development within the urban areas contained by and beyond the green belt. Objectors argue that, in this particular case, exceptional circumstances have not been demonstrated for the removal of land from the green belt.

7.148 RPG13 (policy SD5) provides that the need for exceptional substantial change to any green belt in the region should be investigated by a strategic study. It notes, furthermore, that there is no need to undertake a strategic study of green belts within the Greater Manchester area before 2011. No reference is made by the LPA to such a strategic study having been carried out.

7.149 The LPA, in the RDD (Appendix 1) presents reasons for the removal of the land from the green belt. The area to be removed is intended to form a major component of the Gibfield Primary Employment Area. It would be included with other land to the north and east to form a mixed employment area with a new business park, creating new employment opportunities for Atherton. The construction of a new link road along the western edge of the area which is proposed for removal from the green belt would provide a new access to the employment area separate from residential areas. It would also serve as a continuation northwards of the Atherleigh Way bypass road.

7.150 The LPA argues that, in order for this comprehensive scheme to be viable, the area proposed to be removed from the green belt must be developed for employment uses to provide sufficient revenue to fund the access road, although it does not demonstrate this via a financial appraisal. At the inquiry the LPA conceded that, because the 6.8ha with planning permission had commenced development, and because grant had been recently approved to fund the construction of the new road, the reasons given in the RDD for the removal of the land from the green belt no longer apply. They cannot, themselves, be regarded as the exceptional circumstances required by PPG2.

7.151 At the inquiry the LPA presented further arguments which it contended, taken together, should be regarded as demonstrating an exceptional circumstance. Atherton was said to suffer from a severe shortage of employment land. Opportunities to supplement this are constrained by the ground conditions of potential sites. The western two-thirds of Atherton has the third highest rate of unemployment in the Borough (5.4%). That settlement, itself, is among the areas of the Borough with the highest levels of deprivation. The land at Gibfield would be within easy walking distance of areas of greatest employment need.

7.152 The development of the green belt land for employment purposes would extend the business park up to the line of the new road, thereby enhancing the profile of that area

as a whole and making it more attractive to investors. Increasing the size of the Primary Employment Area as a whole would ensure that the majority of premises within it were new-build units, radically improving the public perception of the area. This would encourage investment in the upgrading of existing buildings. The LPA argues that, taken together, these factors amount to the exceptional circumstance needed to justify removal of land from the adopted green belt.

7.153 Atherton is not, however, an isolated settlement which must be self-sufficient in employment terms. It is a small town separated by only very short distances from other settlements which contain a wide range of employment opportunities. There is ample opportunity for access to these to be gained by sustainable transport modes. The weight to be given to arguments based on local employment needs is, in any case, much reduced by the recent decision of the LPA to grant planning permission for the residential development of a 2.9ha employment site at North Road, adjacent to this Primary Employment Area. This indicates that the LPA, itself, cannot in the recent past have considered the local employment circumstances of Atherton to be particularly compelling.

7.154 The RDD proposes that substantial areas of land adjacent to Atherton and nearby settlements should be designated as safeguarded land. PPG2 advises that land of this sort is intended to meet longer term development needs to ensure that green belt boundaries will not need to be altered at the end of the plan period. If there is a compelling need for additional employment land release, the necessary first step would be to review the potential for the release of safeguarded land. Only if there was no scope for this should green belt releases be considered. The LPA's witness conceded, under cross-examination at the inquiry, that no such exercise had been undertaken. This reduces the weight to be given to the argument that a green belt land release is the only option in this case.

7.155 As to the need to enhance the profile of the Primary Employment Area, the land with planning permission for the business park is in the course of development. Its developers must have sufficient confidence in the attractiveness of that scheme in its own right. At the inquiry the LPA witness conceded that the area with planning permission could proceed to be fully developed without the release of the green belt land. For these reasons I conclude that these arguments are not sufficiently convincing to be regarded as exceptional circumstances to justify the removal of land from the adopted green belt. My view on this matter is supported by the consideration that, if these factors were considered by the LPA to be truly compelling considerations, they would have been referred to in the RDD and not introduced only at inquiry stage.

7.156 PPG2 advises that, once green belts have been defined, the use of land in them has a positive role to play in fulfilling a number of stated objectives. One of these is to secure nature conservation interests. The LPA accepts that the land proposed to be removed from the green belt at Gibfield is already an established part of the foraging habitat for Great Crested Newts. The planning permission for the business park which is now under construction at the Gibfield Primary Employment Area was granted subject, among other things, to condition 48 which requires that an area of land, which includes

that proposed to be removed from the green belt, be retained at existing levels and in agricultural use in order to protect the habitat of Great Crested Newts, which are a European protected species.

7.157 This area and surrounding land is the subject of a mitigation and translocation exercise for Great Crested Newts which has been agreed by English Nature. The LPA argues that this area could be developed subject to a further exercise which would translocate not only the existing newts on the land but also those that are being moved to it under the terms of condition 48. Even if this could be successfully achieved, regard must be had to the relative weight to be given to the objectives set out in PPG2 (paragraph 1.6) and the purposes of including land in green belts as set out in paragraph 1.5. PPG2 (paragraph 1.7) confirms that the purposes of including land in green belts are of paramount importance to their continued protection and should take precedence over the land use objectives.

7.158 PPG2 advises that, wherever practicable, a green belt should be several miles wide so as to ensure an appreciable open zone around the built-up area of concern. Because of the proximity of the settlements in this locality, the gap between the western edge of Atherton and the south eastern edge of Westhoughton in the neighbouring Borough of Bolton is only 1km (0.62 miles) wide. The removal from the green belt of the land identified in the RDD would reduce this already narrow gap by one-third. The proposal would, therefore, fail to check the unrestricted sprawl of the built-up area of Atherton. It would promote the merging of neighbouring towns. It would fail to safeguard the countryside from further encroachment, contrary to the identified purposes of green belts. In my view, the harm done to these interests of acknowledged importance outweighs the marginal benefit of providing the green belt in this locality with a more clearly defined physical boundary along the new road.

7.159 The proposed marked reduction in the width of the green belt at this point indicates to me that it should be regarded as a substantial change. Having regard to the provisions of RPG13 (policy SD5), the absence of a strategic study to justify the change is a further factor which supports my view that the green belt, at this point, should remain unchanged. For all these reasons I conclude that the land should not be removed from the adopted green belt for the purposes of making it a component part of Primary Employment Area EM1A12.

7.160 The limitation of the employment development on this site to that which is already established or has planning permission and is currently being implemented, removes the scope for the allocation of any significant part of this Primary Employment Area for a mixed-use and/or housing development as is sought by several objectors.

Recommendation

I recommend:

(REC 7.14) that the RDD be modified to the effect that Primary Employment Area EM1A12 is redefined to exclude land within the adopted green belt. That latter land should be depicted on the proposals map as continuing to form part of the green belt.

(REC 7.15) that no other modification be made to the RDD in response to these objections.

EM1A 13 EAST OF LEIGH ROAD, HINDLEY GREEN

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
028	O	002	EM	1A	Kay and Darren Shaw		WMBC EM1A 13
252	O	001	EM	1A	Mark Harper		WMBC EM1A 13
540	O	001	EM	1A	Black Country Properties	Atkins Planning Consultants	WMBC EM1A 13
556	O	001	EM	1A	Barry Stephen Evans		WMBC EM1A 13
570	O	001	EM	1A	Mike and Diane Forest		WMBC EM1A 13
590	O	004	EM	1A	John Vickers		WMBC EM1A 13

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref
381	O	002	EM	1A	Mrs A J Smith - County Bird		
540	O	002	EM	1A	Black Country Properties Ltd	Atkins Planning Consultants	
727	O	004	EM	1A	Suzanne Waymont		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
747	O	048	EM	1A	Wigan Borough Action Group		WIGAN MBC 747/A
747	O	067	EM	1A	Wigan Borough Action Group		WIGAN MBC 747/A
768	O	004	EM	1A	Janette Thomas		WMBC EM1A 13
874	O	003	EM	1A	David Marsh		WMBC EM1A 13

Main Issue

Whether this policy is appropriate, having regard to the prospect that the proposal will be implemented during the plan period.

Inspector's Considerations and Conclusions

7.161 The proposed Primary Employment Area to the east of Leigh Road, Hindley Green, (EM1A13) has a total area of some 37.6ha. It is an area of land previously used for coal mining. It contains coal seams and abandoned mine shafts (including 23 bell shafts), former open cast coal workings, colliery spoil tips, former domestic and industrial landfills in quarries operated by a former brickworks, scrap yards, a former brickworks and a former sewage works. The RDD proposes that it be promoted as a major employment development site.

7.162 An objector misreads the RDD and believes that the area of the site has been increased from 37.0ha to 37.6ha, to which he objects. In fact the RDD makes clear that the site area has been reduced from 37.9ha at FDD stage to 37.6ha at RDD stage. This is simply an adjustment to take account of a redefinition of an adjacent allocation. It is, in

itself, insignificant in policy terms. Another objector, at RDD stage, refers to the change in area from 37.9ha to 37.6ha. He argues that this is contrary to Regional Policy Guidance. The reduction in area by 0.3ha is not significant at a regional scale.

7.163 PPG12 (paragraph 6.24) emphasises the importance of ensuring that the provisions of development plans are realistic and likely to be implemented during the period of the plan. Objectors argue that there is no prospect that this will be achieved, due to the complexity and cost of the necessary site reclamation and because of its remoteness from the necessary high quality highway infrastructure.

7.164 The reasoned justification of the RDD, itself, expresses the view that the ability to release significant development on this site will be achieved only through the construction of the A5225 road from Atherleigh Way to Leigh Road (policy A1P [1]). For the reasons I give in the section of this report which relates to that latter policy I have concluded that there is no realistic prospect that the construction of the A5225 road will commence before 2016. I have recommended that land should not be safeguarded for its construction. I must, therefore, in accordance with the LPA's own assessment, conclude that no significant level of employment development will occur on this site over that same period. I have, however, given consideration to whether any partial development of this large site is likely.

7.165 At a s.78 inquiry held in July 2004 in relation to a different site, the LPA had conceded that site EM1A13 would make no contribution at all to the employment land supply in the absence of the A5225 road. However, at the inquiry into the RDD it argued that, subject to the improvement of the existing traffic light controlled junctions which link Leigh Road and Lovers Lane to the A577 road, up to 30% of the site (i.e. some 11ha) could be developed in advance of the A5225 scheme. The LPA did not present to the inquiry the evidence of a professional highways or transport engineer, however. The evidence of the only such witness (on behalf of an objector) was to the effect that the sequence of traffic light operation at these junctions had already been optimised to secure the maximum flow of traffic. These junctions are closely confined by adjacent built development. Their capacity could not be increased except by the compulsory purchase of third party land. The LPA confirmed that it had no current intention to undertake this.

7.166 The condition of the site itself, and the extent of the necessary remedial action, are additional factors which reduce the likelihood that it will be developed at all during the plan period. On the basis of the evidence presented at the inquiry it is clear that the extent and nature of the landfill area is not known. There are problems of leachate and landfill gas arising from these deposits, but the extent of these has not been established. The Greater Manchester Ecology Unit has demonstrated that the site supports colonies of Great Crested Newts but again no information is available on the extent of their range. The evidence of a professional ecologist on behalf of an objector was that 17ha of this 37.6ha site would be required for the mitigation of the Great Crested Newt colony. This was not disputed by the LPA. This lack of information made it impossible, at the inquiry, for either the LPA or the objectors to present with any certainty arguments relating to the nature, extent, timetabling, duration and sequence of any remedial action.

7.167 An Environmental Impact Assessment was, at the time of the inquiry, nearing completion in respect of the A5225 road scheme, but its findings were not made available as part of the LPA's evidence. This would cover only part of the EM1A13 site. It would not, on its own, provide sufficient information to support decision making in relation to its remediation. A further EIA will be required for the site itself.

7.168 With regard to the population of Great Crested Newts, the LPA argues that mitigation could probably be achieved on land outside the site. It confirms, however, that no studies have been undertaken to support that view. An objector argues that reference in Appendix 3 to the need to 'maintain the favourable conservation status' of Great Crested Newts on this site is an inappropriate term. It is, however, standard terminology as set out in the Conservation (Natural Habitats) Regulations 1994.

7.169 The only outline of a strategy for site remediation which was presented to the inquiry is that set out in a submission made to the LPA by the consultants GVA Grimley in relation to the site. This involves removing a further 14,000 tonnes of coal from a seam which outcrops within its boundaries. The void thereby created would be used to accommodate the landfill which would be moved out of the former quarries. The problems of landfill gas and leachate would be addressed via this process. The voids created in the former quarries would be used to accommodate colliery spoil and waste material arising from the extraction of the 14,000 tonnes of coal. As part of its submission to GVA Grimley, the LPA advised that, at present, the private sector will not bring this site forward for development because the remediation and abnormal costs associated with this make the scheme uneconomic.

7.170 Not only would the remediation of the site be an expensive process but it is likely, also, to be a protracted one. Planning permission, transport assessment and environmental assessment will be required at various stages. A Defra licence to translocate Great Crested Newts would be required. This would have to be based on an agreed programme. The process as a whole would be compounded by the need to mitigate the impact on Great Crested Newts in what seems likely to be a complex sequence of excavation, storage of material and filling of voids over an extensive area.

7.171 In view of the LPA's own assessment of the viability of remediation and redevelopment it is, in my view, highly unlikely that private sector resources would be committed to this until there was a degree of certainty that a satisfactory vehicular access would be available, sufficient to support future employment uses. I have concluded that there is no prospect of this within the plan period.

7.172 Even if public sector grant was deployed in sufficient amounts (and there is no commitment to this at present) to initiate reclamation and site preparation, it is likely that this activity could not begin until such a road scheme was not only committed but also completed and operational. This is because of the need to remove such large quantities of coal off-site. Because the existing road system meanders through heavily built up areas, including residential districts and retail centres, it is not likely to be equal to the task.

Although the limitation imposed by this constraint was emphasised by objectors the LPA did not present a professionally qualified highways witness to refute it.

7.173 The LPA referred at the inquiry to several enquiries by potential developers in respect of small parts of this site. On the basis of these it expressed the view that some partial development might be possible in advance of the reclamation of the site as a whole. It conceded, however, that these expressions of interests were by persons to whom the LPA's submission to GVA Grimley had not been released. There is, therefore, significant doubt that their expressions of interest would be maintained once they were made aware of this. I conclude, for all these reasons, that there is no realistic prospect that any of the land on this site will be developed for employment purposes in the plan period.

7.174 An objector argues that, having regard to the high costs of remediation work associated with such a heavily despoiled and contaminated site, development for employment uses alone would not give rise to a viable scheme. Only a mixed-use scheme could, he argues, secure its redevelopment. The road access constraints to which I refer would still apply to such a scheme as would the nature conservation factors. No evidence was presented which supports the view that these problems are likely to be overcome to enable the development, even of a mixed-use scheme, within the plan period.

Recommendation

I recommend:

(REC 7.16) that the RDD be modified by the deletion of Primary Employment Area EM1A13.

(REC 7.17) that no other modification be made to the RDD in response to these objections.

EM1A 14 WEST OF LEIGH ROAD, HINDLEY GREEN

Objections to Draft Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
028	O	002	EM	1A	Kay and Darren		WMBC EM1A 14

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
727	O	005	EM	1A	Greater Manchester Ecology Unit		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
768	O	003	EM	1A	Janette Thomas		WMBC EM1A 14
874	O	001	EM	1A	David Marsh		WMBC EM1A 14

Note

Objection 028/002 is made by Kay and Darren Shaw.

Main Issue

Whether this policy is appropriate, having regard to the prospect that the proposal will be implemented during the plan period.

Inspector's Considerations and Conclusions

7.175 The proposed Primary Employment Area to the west of Leigh Road, Hindley Green (EM1A14) has a total area of some 52.4ha of which 22.3ha is considered by the LPA to be available for employment development during the plan period. An objector at RDD stage notes that the overall site area has been reduced from 52.8ha to 52.4ha and argues that this is contrary to Regional Planning Guidance. The reduction of 0.4ha is not significant at regional scale.

7.176 PPG12 (paragraph 6.24) emphasises the importance of ensuring that the provisions of development plans are realistic and likely to be implemented during the period of the plan. Objectors argue that there is no prospect that this will be achieved because of the lack of any such intention by the landowner, and because of the remoteness of the site from the necessary highways infrastructure.

7.177 The reasoned justification of the RDD, itself, expresses the view that the ability to realise significant development on this site will be achieved only through the construction of the A5225 road from Atherleigh Way to Leigh Road. For the reasons I give in the section of this report which relates to this latter highway I have concluded that there is no

realistic prospect that the construction of the A5225 road will commence before 2016. I have recommended that land should not be safeguarded for its construction. I must, therefore, in accordance with the LPA's own assessment, conclude that no significant level of employment development will occur on this site over that same period. I have, however, given consideration to whether any partial development of this large site is likely.

7.178 The LPA confirmed, at the inquiry, that the undeveloped land at this Primary Employment Area is owned by PPG Industries plc. The northern part of this area is said, by the LPA, to be very likely to be retained by that firm for its own future expansion. It argued, however, that the southern part could be made available for development by others but conceded that it was not aware of any plans for the disposal of this land by its owner. It is certainly not being marketed at present.

7.179 At a s78 inquiry held in July 2004 in respect of a different site the LPA had accepted that PPG Industries plc was not likely to release any of the vacant land for employment development within the plan period to 2016. At the inquiry into the RDD it did, however, argue that part of the land might be developed by its owner by the erection of a third blast furnace. This contention was not, however, supported by evidence that such a development is actually in prospect. Even if it occurred the LPA conceded that it would take up only some 3ha out of the total site area of 22.3ha.

7.180 Objectors referred to records of colonies of Great Crested Newts at ponds within the Barlows Farm SBI which lies within 50m of the site boundary. No survey has been done to establish their numbers or range and whether they are present within the Primary Employment Area. The undeveloped parts of the Primary Employment Area were acknowledged by the LPA to suffer from serious asbestos contamination. Information on the extent of this and the scope for mitigation was not available for presentation to the inquiry.

7.181 On the basis of the evidence presented to me at the inquiry I conclude that there is no realistic prospect that any of the undeveloped land at Primary Employment Area EM1A14 will form an effective part of the employment land resource during the plan period. This conclusion is supported by a study undertaken for Wigan MBC by DTZ Piedad Consulting with the objective of exploring the economic benefits that might arise from the development of key sites along the Atherleigh Way corridor as part of the regeneration programme for that area. The LPA confirms that it relies on the findings of this study and uses its contents when it seeks grant aid for particular schemes. This study concluded that, with or without the A5225 road, no new development could be anticipated at this Primary Employment Area in a period extending beyond that of the RDD.

7.182 Objectors argue that the term 'adjacent land' should be clarified. Its meaning is, however, perfectly clear. It means land adjoining the site.

Recommendation

I recommend:

(REC 7.18) that the RDD be modified by the substitution, within table 1, of a zero figure for available land in respect of site EM1A14 in place of the 22.3ha presented there.

(REC 7.19) that no other modification be made to the RDD in response to these objections.

EM1A 15 SWAN LANE, HINDLEY GREEN

Objections to Draft Deposit

Draft Deposit Objections Conditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
566	O	002	EM	1A	Mr J S Caldwell	Higham and Co.	WMBC 566 EM1A

Draft Deposit Objections Unconditionally Withdrawn

Ref No	a	b	c	d	Name	Agent	Response Ref.
727	O	006	EM	1A	Suzanne Waymont		

Objections to Revised Deposit

Ref No	a	b	c	d	Name	Agent	Response Ref.
747	O	047	EM	1A	Wigan Borough Action Group		WIGAN MBC 747/A

Supporters of Draft Deposit

Ref No	a	B	c	d	Name	Agent	Response Ref.
566	S	001	EM	1A	Foden Investments Ltd	Higham and Co.	

Main Issues

Whether this policy is appropriate, having regard to:

- the references made to knowledge-based industries;
- the appropriate terminology in relation to natural habitats.

Inspector's Considerations and Conclusions

The references made to knowledge-based industries

7.183 An objector at FDD stage, notes that policy EM1A provides that, at sites identified as suitable for knowledge-based industries a legal agreement will be sought to ensure that the site, or an agreed part of it, is set aside for such businesses over a reasonable period of time. He fears that the site at Swan Lane, Hindley Green, will be identified for this purpose, for which he considers it not to be suitable.

7.184 The reasoned justification to policy EM1A confirms that three sites, not including that at Swan Lane, have been identified as potentially suitable for knowledge-based industries. The LPA confirms that the site at Swan Lane is not likely to be attractive to such industries and that, furthermore, it has no power to require that land be reserved for such a use. For this reason, the policy and its reasoned justification refer to the need for agreements. In my view the policy and its reasoned justification is sufficiently clear in respect of the effect of this aspect of the policy on the land at Swan Lane. No further modification is required.

The appropriate terminology in relation to natural habitats

7.185 Appendix 3 of the RDD identifies known environmental and nature conservation issues affecting Primary Employment Areas. In relation to allocation EM1A15 it notes that the undeveloped land within the industrial estate includes a pond that has Great Crested Newts recorded as present. It expresses the view that an amphibian survey will be required to determine the extent of their habitats and the measures needed to 'maintain their favourable conservation status'. An objector argues that this latter phrase should be simplified. It is, however, the standard terminology as set out in the Conservation (Natural Habitats) Regulations 1994.

Recommendation

I recommend:

(REC 7.20) that no modification be made to the RDD in response to these objections.