

### Introduction

The protection and enhancement of the cultural heritage and natural resources along with the promotion of sustainable development are key aims of the planning system as a whole. In this context the UDP has an important role to play in providing for needs for commercial and industrial development, food production, minerals extraction, new homes and other buildings while respecting environmental objectives.

The policies in this chapter therefore cover a broad range of topics from derelict land reclamation to nature conservation including biodiversity and include policy guidance on the role of design considerations in planning, in view of the increased importance attached to good design in producing a high quality living environment.

As well as reflecting changes in emphasis in national policy there are now new policies to cover Public Art, Viewpoints and Buildings and Structures of Local Architectural or Historic Interest.

## **EV1 ENVIRONMENTAL PROTECTION AND ENHANCEMENT**

**THE COUNCIL WILL IMPROVE THE CHARACTER AND APPEARANCE OF THE BOROUGH BY:-**

- (1) PROTECTING AND ENHANCING THE FABRIC AND APPEARANCE OF THE ENVIRONMENT AND OF THE BOROUGH'S HERITAGE INCLUDING THE RECLAMATION OF DERELICT LAND;**
- (2) PROTECTING AND WHERE APPROPRIATE ENHANCING SEMI-NATURAL HABITATS AND LANDSCAPES AND PROMOTING BIODIVERSITY;**
- (3) CONTROLLING AND REDUCING POLLUTION, DANGERS AND EYESORES.**

This policy sets out the basic environmental themes of the Plan and specifies the main topic areas on which the Plan can have some effect. It sets the agenda for the other environmental policies in Part 1 and the more detailed policies and proposals in Part 2 of the Plan.

The Council intends to remain in the forefront of environmental action both nationally and locally and the strategy and proposals of the Plan will play a large part in the wider initiatives which the Council participates in.

### **\* EV1A Land Reclamation and Renewal**

**The Council, in conjunction with other partners, will secure the reclamation and renewal of the following sites:-**

- |  |                          |
|--|--------------------------|
| <b>1. Wigan Flashes Phase 1, Wigan;</b>                      | <b>*(10,15)</b>          |
| <b>2. Whelley Loop Line, Wigan;</b>                          | <b>*(4,7,10, 11)</b>     |
| <b>3. Whelley Loop Viaduct, Wigan;</b>                       | <b>*(4, 7)</b>           |
| <b>4. Maypole Phase 2, Abram;</b>                            | <b>*(22)</b>             |
| <b>5. Pickley Green Railway, Leigh;</b>                      | <b>*(17, 23)</b>         |
| <b>6. Princess Road, Ashton;</b>                             | <b>*(21, 26)</b>         |
| <b>7. Ince Green Lane 3, Ince;</b>                           | <b>*(10, 11. 15, 16)</b> |
| <b>8. Westwood, Wigan;</b>                                   | <b>*(10, 15)</b>         |
| <b>9. Sandyforth Opencast, Billinge;</b>                     | <b>*(14, 15, 20, 21)</b> |
| <b>10. Marsh Green North West, Wigan;</b>                    | <b>*(9, 10)</b>          |
| <b>11. Leigh Road, Atherton;</b>                             | <b>*(17, 23)</b>         |
| <b>12. Kirkless Canalside, Wigan;</b>                        | <b>*(11)</b>             |
| <b>13. Ince Moss, Ince;</b>                                  | <b>*(15)</b>             |
| <b>14. Grammar Pit, Hindley;</b>                             | <b>*(16)</b>             |
| <b>15. Gidlow Mineral Railway, Wigan;</b>                    | <b>*(7)</b>              |
| <b>16. Crown Chemical Works/Calico Brook, Appley Bridge;</b> | <b>*(6)</b>              |
| <b>17. Close Lane, Hindley;</b>                              | <b>*(16)</b>             |
| <b>18. Land adjacent to Viridor Wood, Bamfurlong;</b>        | <b>*(21)</b>             |
| <b>19. Gidlow Tip, Wigan;</b>                                | <b>*(7)</b>              |
| <b>20. Viridor 3, Bamfurlong;</b>                            | <b>*(15, 16)</b>         |
| <b>21. Bedford Colliery, Leigh;</b>                          | <b>*(23, 24)</b>         |

- |     |  |                   |
|-----|--|-------------------|
| 22. | <b>Amberswood Common, Ince;</b>  | *(11, 16)         |
| 23. | <b>Bickershaw Colliery, Leigh;</b>   | *(16, 17, 22, 23) |
| 24. | <b>Small Clearance Schemes (various sites);</b>                              |                   |
| 25. | <b>Mineshafts (various);</b>   |                   |
| 26. | <b>East of Leigh Road, Hindley Green;</b>                                    | *(17)             |
| 27. | <b>Other sites which are or may become derelict, underused or neglected.</b> |                   |

Derelict land reclamation is an important tool in the environmental and economic regeneration of the Borough. An attractive environment, as evidenced by a green and pleasant landscape, can only serve to enhance the Borough's image and, in the longer term, help to stimulate and sustain its economic revival through the creation of sites for development and the attraction of developers who will invest in the area.

The priorities of the Council's Derelict Land Reclamation activities remain to:-

- (a) Remove dangers and eyesores;
- (b) Provide sites for development and to encourage commercial and industrial investment;
- (c) Improve the Borough's environment, renew its landscape, protect and enhance its existing and potential biodiversity and provide opportunities for recreation.

The sites listed above and shown on the Proposals Map are those which the Council considers to have the highest priority for reclamation and restoration and which it will seek to reclaim, either directly through its own Strategic Programme of Land Reclamation or by others. However the Council recognises that many sites contain features of nature conservation interest or support protected species. Where reclamation takes place on these sites, thorough ecological assessments will be undertaken. Where the assessments indicate that there is substantial biodiversity interest or protected species on the site, these will be protected and, where appropriate, enhanced in accordance with the Greater Manchester Biodiversity Action Plan.

Wherever possible, sites will be reclaimed by re-using materials which are on-site. It is also important to ensure the continued maintenance of such sites after they have been reclaimed or restored. Current programmes for derelict land reclamation include the Council's Strategic Programme of Reclamation, the Greater Manchester Derelict Land Strategy and the Forestry Commission's Newlands Initiative for the regeneration of derelict and neglected land by means of woodland planting. In addition, the Red Rose Forest has played a significant role in the restoration of derelict land to community woodland through the Forestry Commission's Capital modernisation fund and the Newlands restoration programme. Consideration will be given to the Red Rose Forest Plan in any future reclamation initiatives. These programmes may, of course, be changed by circumstances beyond the Council's direct control during the plan period.

**\* EV1B Pollution**

**The Council will reduce pollution and the effects of pollution by:-**

- (a) Not permitting development which would result in unacceptable levels of air pollution or which would have an unacceptable effect on air quality, particularly in or adjacent to the Air Quality Management Areas declared by**

**the Council under the Environment Act 1995. Sensitive development will not be allowed in areas of unacceptably poor air quality;**

\*(All pages)

- (b) Not permitting development which would result in unacceptable levels of pollution in watercourses or groundwater or which would result in the transfer of contaminated run-off to foul or surface water sewers;**
- (c) Not permitting development which would result in unacceptable levels of noise in relation to noise sensitive uses or prejudice the use of land reserved for other purposes;**
- (d) Not permitting development on land with unacceptable levels of contamination without ensuring that remedial measures are taken to remove, stabilise, contain or treat the land before development takes place.**

The prevention and reduction of pollution of all sorts is an important aspect of the Council's environmental aims. Many of the potential sources of pollution are outside the controls which can be exercised under the Council's planning powers as laid down in the Unitary Development Plan and the Planning Acts. This policy specifies where the controls will be exercised to prevent or reduce pollution.

The policy does not specify measurable standards which will be enforced but instead refers to preventing "unacceptable levels of pollution". This is an essential element of the flexibility of the policy which enables the appropriate standards to be applied to proposals, usually on the advice of the Council's Director of Environmental Health and Consumer Protection, according to the location and context of the proposals and the generally accepted or achievable standards applicable at the time. Particular attention will be given to proposals which would be likely to impact on the Air Quality Management Areas declared by the Council and any detrimental impact on the air quality of such areas will count against them. Equally, new sensitive development, like housing, in areas which suffer from unacceptably poor air quality is unlikely to be acceptable.

## **EV2 NATURE CONSERVATION**

**THE COUNCIL WILL PROTECT AND ENHANCE THE NATURAL ENVIRONMENT AND BIODIVERSITY BY:-**

- (1) DEVELOPMENT ON, OR CLOSE ENOUGH TO ADVERSELY AFFECT, SPECIAL AREAS OF CONSERVATION, SITES OF SPECIAL SCIENTIFIC INTEREST, SITES OF BIOLOGICAL IMPORTANCE, LOCAL NATURE RESERVES OR OTHER SITES OF NATURE CONSERVATION VALUE WILL NOT BE PERMITTED UNLESS PERMISSION CAN BE SUBJECT TO CONDITIONS THAT WILL PREVENT DAMAGING IMPACTS ON WILDLIFE HABITATS OR IMPORTANT PHYSICAL FEATURES OR IF OTHER MATERIAL CONSIDERATIONS ARE SUFFICIENT TO OVERRIDE THESE.**
- (2) SECURING NEW AREAS OF NATURE CONSERVATION INTEREST AND ENHANCING EXISTING ONES IN CONSIDERING DEVELOPMENT PROPOSALS;**
- (3) PROTECTING IDENTIFIED WILDLIFE CORRIDORS FROM ADVERSE DEVELOPMENT;**
- (4) PROTECTING LEGALLY PROTECTED SPECIES;**
- (5) PROTECTING FEATURES OF WILDLIFE VALUE FROM THE DAMAGING EFFECTS OF DEVELOPMENT WHEREVER THEY OCCUR;**
- (6) THE PROTECTION AND PROMOTION OF KEY BIODIVERSITY HABITATS AND SPECIES AS OUTLINED IN THE UK AND GREATER MANCHESTER BIODIVERSITY ACTION PLANS.**

The Borough supports a rich diversity of species and habitats. The policy seeks not only to protect these species and sites but to develop new areas of nature conservation interest, to allow the movement of species between sites along wildlife corridors and to promote properly controlled access to the natural history resource.

The Council has published a Nature Conservation Strategy and has begun producing a Biodiversity Action Plan for the Borough. The Council also supports the Greater Manchester Biodiversity Audit and Action Plan and the Biodiversity Audit of North West England.

### **\* EV2A Special Areas of Conservation**

**Proposals for development which affect a Special Area of Conservation or a candidate Special Area of Conservation will be subject to the most rigorous examination. Development not connected with or necessary to the management of the site and which is likely to have significant effects on the site (either individually or in combination with other plans or projects) and which would affect the integrity of the site, will not be permitted.**

\*(29)

The Conservation (Natural Habitats & c.) Regulations 1994 formally transpose the requirements of the EC Habitats Directive into national law and provide for the designation of Special Areas of Conservation (SAC). The aim of the Habitats Directive is to contribute to biodiversity through conserving natural habitats and wild fauna and flora of European Importance.

Astley and Bedford Mosses form part of the Manchester Mosses candidate SAC. A candidate SAC is treated in the same way as a designated SAC in the consideration of development proposals. Development proposals which would adversely affect the integrity of the site will not be permitted unless:-

- i. There are no alternative solutions. Consideration must be given to alternative sites or proposals which would have lesser impact on the site; or
- ii. The proposed development has to be carried out for imperative reasons of overriding public interest in which case mitigation measures will be required.

*(Manchester Mosses has now been confirmed as a Special Area of Conservation.)*

**\* EV2B Sites of Special Scientific Interest, Sites of Biological Importance and Local Nature Reserves**

**The Council, in accordance with its Nature Conservation Strategy, will not permit development on or close enough to adversely affect the following categories of sites, unless permission can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if other material considerations are sufficient to override these:-**

- (a) Sites of Special Scientific Interest;**
- (b) Sites of Biological Importance;**
- (c) Local Nature Reserves.**

**Regard will be had to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests in taking decisions. Therefore a more restrictive approach will be taken to development affecting sites with national designations than those with local designations.**

**The Council will also promote the management of such sites where it is necessary to retain or enhance the features of interest and will give consideration to the improvement and enhancement of other sites of actual or potential wildlife value.**

**(a) Sites of Special Scientific Interest**

<b>Astley and Bedford Mosses</b>	<b>*(29)</b>
<b>Highfield Moss</b>	<b>*(30)</b>
<b>Abram Flashes</b>	<b>*(22)</b>
<b>Bryn Marsh and Ince Moss</b>	<b>*(15, 16)</b>

**(b) Sites of Biological Importance**

**There are currently 85 Sites of Biological Importance which are listed in Appendix 5.** \*(See Appendix 5)

**(c) Local Nature Reserves**

**There are currently 2 Local Nature Reserves at:**  
**Borsdane Wood** \*(8, 11)  
**Wigan Flashes** \*(15, 16)

This policy seeks to protect sites of Special Scientific Interest, Sites of Biological Importance and Local Nature Reserves and to bring about their management and enhancement where appropriate. Regard will be had to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests in taking decisions. Therefore a more restrictive approach will be taken to development affecting sites with national designations than those with local designations.

Sites of Special Scientific Interest are designated by English Nature and are protected under the Wildlife and Countryside Act 1981 (and subsequent amendments) and the Countryside and Rights of Way Act 2000.

The Sites of Biological Importance (SBI's) are designated by the Greater Manchester Ecology Unit on behalf of the ten Greater Manchester local authorities. The SBI's are graded as of County (A), District (B) or more local importance (C). Sites are reviewed annually so the list of designated sites will change over time. A separate list of such changes will be maintained as Supplementary Planning Guidance and will be incorporated into the Plan at review. The relative weight to be given to the contents of an adopted development plan and of supplementary planning guidance is set out in PPG12.

Local Nature Reserves are declared by local authorities under the National Parks and Access to the Countryside Act 1949. They are an important component of biodiversity conservation as well as providing a contribution to the quality of the environment for local people. In addition they have a role to play in community development and have value for educational purposes.

In addition to the statutory and non-statutory site designations, many habitats and species have been identified in National and Regional Biodiversity Action Plans as requiring protection and, through setting targets and actions, enhancement in order to limit threats to their continued survival and reverse the decline of numerous habitats and species. A Local Biodiversity Action Plan for the Borough will set out priorities for action relevant to the local area and will be adopted as Supplementary Planning Guidance.

**\* EV2C Features of Major Importance for Nature Conservation and Wildlife Corridors**

**Development which would adversely affect, directly or indirectly, the landscape features listed below (which are of major importance for wild fauna and flora) will not be permitted unless the permission can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features or if**

**other material considerations are sufficient to override these. Appropriate management of these features will be sought through the imposition of conditions on planning permissions, the use of planning obligations and by entering into management agreements with landowners and developers where appropriate. Developers will also be expected to protect and enhance habitats and species listed in the UK and Greater Manchester Biodiversity Action Plans.**

**Hedgerows**

**Linear tree belts/shelter belts**

**Plantations and small woodlands**

**Semi natural or ancient woodlands**

**Semi natural grassland**

**Ditches and banks**

**Heathlands**

**Mosslands**

**Watercourse corridors**

**Canals**

**Lakes**

**Reservoirs**

**Ponds and lodges**

**Reedbeds**

**Green Lanes**

**The Council will also protect and enhance the Borough's wildlife corridor network. Only in exceptional circumstances will it permit development proposals which would destroy or adversely affect the integrity of this.**

**\*(4, 6, 7, 8, 10, 11, 15, 16, 21-23, 27-29)**

This policy fulfils the requirement of the Conservation (Natural Habitats &c) Regulations to protect features of the landscape which are of major importance for wild fauna and flora but which are not necessarily designated nature conservation sites. Where important features are lost, a scheme for their replacement or other measures of mitigation may sometimes render a development acceptable and the Council will seek to explore such possibilities. Proposals for the creation or enhancement of habitats should use the UK and GM Biodiversity Action Plans to inform their development.

The problems experienced by some groups of flora and fauna in colonising new areas can be reduced and the diversity of species increased by preserving wildlife corridors, reducing obstructions to the movement of flora and fauna and by preventing isolated 'islands' of wildlife from developing. Therefore, although it is important to protect sites of wildlife importance, it is equally important to protect and enhance the routes along which wildlife can travel and to create new links into the network.

In October 1994 the Habitats Regulations and PPG9 Nature Conservation were issued. Both support the necessity to identify wildlife corridors/networks. The Habitat Regulations identified that planning and development policies should encourage "the management of features of the landscape which are of major importance for wild flora and fauna". It highlighted the importance of linear features and their adjacent habitats, in particular where they support species listed in Annex iv (a) of the Regulations. PPG 9 supports these

Regulations and states that “Statutory and non-statutory sites together with countryside features which provide wildlife corridors, links or stepping stones from one habitat to another all help to form a network necessary to ensure the maintenance of the current range and diversity of our flora, fauna, geological and landform features and the survival of important species”.

The Borough’s primary wildlife corridors are shown on the Proposals Map. They contain both statutory and non-statutory sites and support species listed under Annex iv of the Habitats Directive.

## **EV2D Species Protection**

**The Council will not permit development which would have an adverse impact on a legally protected species unless the reasons for the development clearly outweigh the protection of the species concerned.**

The Conservation (Natural Habitats & c.) Regulations 1994, the Wildlife and Countryside Act 1981 (and subsequent amendments) and the Protection of Badgers Act 1992 provide legal protection for a number of species.

The presence of protected species is a material consideration when a development proposal, if carried out, would be likely to result in harm to the species or its habitat. Where a site has the potential to support a protected species a survey should be submitted as part of the planning application. If a protected species is present on a development site a comprehensive mitigation package will need to be submitted to the Council in order to assess the impact on the species. Further guidance is contained in Supplementary Planning Guidance produced by the Council, ‘Protected Species and Development’.

A licence to undertake work that will impact on a protected species may be required from DEFRA.

The Council will consult English Nature on development proposals which have implications for protected species.

## **EV2E Trees, Woodlands and Hedgerows**

**The Council will protect and enhance trees, woodlands and hedgerows by:-**

- (a) The use of Tree Preservation Orders, Hedgerow Retention Notices and Planning Conditions and Obligations where appropriate;**
- (b) Promoting biodiversity through the use of native species in landscaping and tree planting schemes. The planting of trees, woodlands and hedgerows for recreational, nature conservation or commercial purposes will be encouraged;**
- (c) Supporting and implementing proposals for the Red Rose Community Forest.**

Trees, woodlands and hedgerows have an important role for amenity, landscape and nature conservation purposes. The Council has a duty under Section 197 of the Town and Country Planning Act 1990 (as amended) to protect trees. This protection will be achieved by the use of Tree Preservation Orders, legal agreements and development control. Where trees or woodlands are present on a proposed development site consideration must be given to the Council's Supplementary Planning Guidance, Trees on Development Sites (January 1996) and the Woodland Strategy (July 1995). Only in exceptional cases, where felling has been considered by the Council as unavoidable, will the Council's written consent for tree removal be granted. Any consent to remove trees will require that replacement planting is agreed in writing prior to a consent to fell being granted.

The Hedgerow Regulations (1997) set out criteria which are used to determine whether a hedgerow is 'important' from an archaeological, historical, landscape or wildlife perspective. The Council should be consulted where the removal of hedgerows is proposed.

The Council is committed to enhancing nature conservation in the Borough through sustainable resource management. This will be achieved through the identification of suitable areas for high quality landscaping and tree planting schemes both directly under the control of the Council and also in public/private schemes and initiatives.

The Red Rose Community Forest is a partnership of six Greater Manchester local authorities, the Countryside Agency and the Forestry Commission to increase trees and woodlands in the towns and the countryside. The provision of multi-use woodland for forestry, nature conservation and recreation provides a long-term sustainable resource accessible to all residents of the Borough.

### **EV3 DESIGN**

**THE COUNCIL IS COMMITTED TO THE ACHIEVEMENT OF GOOD DESIGN IN ALL DEVELOPMENT. THE DESIGN QUALITIES AND STANDARDS WILL BE KEY CONSIDERATIONS IN JUDGING PROPOSALS WITH THE AIM OF CREATING PLACES AND SPACES WHICH ARE ATTRACTIVE, ACCESSIBLE, SAFE, UNCLUTTERED AND WHICH TAKE INTO ACCOUNT PUBLIC HEALTH, CRIME PREVENTION, COMMUNITY SAFETY, SUSTAINABILITY PRINCIPLES AND HERITAGE CONSERVATION.**

The quality of the built environment in the Borough is crucial to its success as a place in which to live, work and play. Well-designed buildings, streets and neighbourhoods can help promote sustainable development, attract business and investment and reinforce civic pride and sense of place. All applications from the smallest extension to major development schemes will be expected to achieve high standards of design.

The Part 2 policies which follow deal with various aspects of design in more detail. In addition, detailed design guidance on particular topics and on particular development sites is also available to assist in the design process.

### **EV3A Design of New Development**

All proposals for development will be required, through their design, to promote where relevant:-

- (a) the character and identity of places through responding to and reinforcing locally distinctive patterns of development, spaces, natural topography, landscape and materials;**
- (b) the continuity of street frontages and the enclosure of space by development which clearly defines private and public areas and takes into account the microclimatic conditions;**
- (c) public spaces and routes that are attractive, safe, visually and physically uncluttered and function effectively for all in society;**
- (d) an environment that is inclusive and accessible for all, making places that connect physically and visually with each other and are easy to move through, putting people before traffic;**
- (e) legibility through development that provides recognisable routes, intersections and protects and enhances both local and strategic views of landmarks and focal points in order to help people ‘visually navigate’;**
- (f) adaptability through development that can respond to changing social, technological and economic conditions;**
- (g) diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs;**
- (h) appropriate scale of development that reflects and enhances the buildings and roofs, scale, massing, heights and densities that are specific to that locality and which take into consideration the human scale relationship with the buildings themselves;**
- (j) sustainability principles including, wherever possible, reducing the impacts on climate change; the efficient use of energy and water; the use of sustainable drainage systems wherever possible, innovation in building design; reducing the use of primary minerals; and reusing and recycling buildings and materials.**

The importance of good design is increasingly being recognised for its contribution to urban regeneration as well as its value in its own right. In line with this policy the Council will expect applicants for planning permission to demonstrate how they have taken account of the need for good design in their development proposals.

The policy provides clear guidance on the objectives and key principles of design and is consistent both with the approach to design in PPG1 and that put forward in “*By Design. Urban design in the planning system: towards better practice*”, published by the Government.

The following prompts relate to the clauses of the policy and are intended to provide more detailed guidance relating the policy to specific design situations:-

(a) Character and Identity

- Consider landform and character when laying out new development;
- Integrate new development into its landscape setting to reduce its impact on nature and reinforce local distinctiveness. Existing physical features such as ponds and watercourses should be retained and designed into the layout of the development;
- Take account of the existing layout of buildings, streets and spaces so that buildings relate to each other, streets connect and spaces complement each other;
- Use local materials, building methods and details to enhance local distinctiveness;
- Scale, massing and height should be considered in relation to that of adjoining buildings, topography, the general pattern of heights in the area and views, vistas and landmarks;
- Retain or enhance existing buildings and elevations of architectural or townscape value and, where demolition is accepted, adequately replace any building which provided a major contribution to townscape.

Traditional roof forms, proportions, frontage widths, areas of solid and void within elevations, two and three dimensional details, the degree of vertical or horizontal emphasis and balance, the degree of dominance and the degree of formality and variety between buildings will all be significant considerations.

(b) Continuity and Enclosure

- Buildings that relate to a common building line reinforce and define the street;
- Primary access to a building is best achieved from the street;
- Fronts and backs of buildings are often used in different ways and their design can reflect this;
- Clearly defined and enclosed external space provides for better privacy and security;
- Boundary treatment - fences, walls, planting and other treatments - should be appropriate to its surroundings. Supplementary Planning Guidance (SPG) on 'good fencing' provides specific guidance on the use and design of secure fencing;
- Local microclimatic considerations are important in designing public spaces.

(c) Public Spaces and Routes

- Should have a system of open and green spaces that respect natural features and are accessible;
- Ground floors occupied by uses that relate directly to passing pedestrians create activity and interest;

- Streets and spaces that are overlooked allow natural surveillance, feel safer and generally are safer;
- Works of art and well-designed street furniture integrated into the design of public spaces give identity and enhance the sense of place.

(d) Movement and Accessibility

- Should be designed to help create a more accessible environment for all people, regardless of disability;
- Should have a network of connected spaces and routes for pedestrians, cyclists, horse-riders and vehicles;
- Movement patterns, the size of buildings and plot sizes should contribute to a network of direct and connected routes within and beyond the site;
- The layout and density of development should help increase accessibility to public transport.

(e) Legibility

- Development should be sited to protect and enhance existing views and vistas, and create new ones, so as to help people to find their way around;
- Well-designed corners enhance legibility by creating visual interest and contributing to a distinctive identity;
- Legibility of an area can be improved through the detailing and quality of materials in new development.

(f) Adaptability

- Simple, robust building forms, not tightly designed to a particular use allow for a variety of possible future uses to be accommodated;
- Places and buildings should be capable of being used for a range of activities;
- Developments that endure have flexible layouts and design.

(g) Diversity

- A mix of uses helps attract people to live, work and play in the same area;
- Diversity of layout, building form and tenure helps to make successful living and working environments.

(h) Urban forms

- Should have an appropriate scale of development that takes into account the building mass, height, scale and density consistent with its context;
- Relationship to the human scale must be achieved in relation to the character of the area;
- Attention should be given to the sunlight, daylight and microclimate considerations in order to establish comfortable and welcoming places that are well maintained and visually interesting.

(j) Sustainability

- Should follow sustainability principles
- Reduce impacts on climate change
- Efficient use of energy and water
- Reducing use of primary minerals and re-using and recycling buildings and materials.

### **EV3B Advertisements**

**The display of advertisements will be controlled to ensure that they do not adversely affect the character of buildings, the amenity of the area or public safety.**

Although the Council recognises that outdoor advertising has a useful role to play in the commercial life of the Borough and the appearance of the built environment, it is important to avoid a gaudy, unsightly clutter of signs which obscure the detail of buildings and destroy the human scale of urban spaces. The Council wishes to raise the general standards of advertisement display in the Borough by the application of the principles and guidelines specified in its approved Design Guide for Advertisements. Particular care will be taken over advertisements in Conservation Areas and which affect listed buildings or buildings of local interest in line with the provisions of policies **EV4A**, **EV4B** and **EV4C**.

### **EV3C Design of Frontages to Shops and Commercial Premises**

**In addition to meeting the requirements of Policy EV3A, proposals for new frontages or alterations to shops and commercial premises will be required to:-**

- use materials and a design in sympathy with the whole facade of the building or, where more appropriate, satisfactory surrounding premises;**
- have display windows at ground floor level unless they would be inappropriate to the design of the whole facade;**
- avoid using external security measures where the choice of design and colour would have an adverse effect on the appearance and character of the shopfront, building, street and the wider context. The choice of appropriate security measures must aim to maximise transparency opportunities in order to increase natural surveillance and reduce uninviting dead frontages;**
- provide level or ramped access in to the building wherever possible.**

The quality of the street scene in town and district centres is strongly influenced by the quality, design and materials of shop and commercial building frontages. This policy aims to control these aspects of town centre design by specifying the requirements which such frontages must meet. The Council has also produced a Shopfront Guide which provides Supplementary Planning Guidance to promote good design in shop and commercial frontages. Particular care will be taken over the design of frontages in Conservation Areas and which affect listed buildings or buildings of local interest in line with the provisions of policies **EV4A**, **EV4B** and **EV4C**.

### **EV3D Landscaping of Development**

**Development will be required to incorporate good quality hard and soft landscaping as an integral part of the proposals to enhance the environment and setting of a new building and help integrate the development into its surroundings.**

The inclusion of landscaping in development schemes can usefully provide screening, softening, colour, texture and seasonal variations and can break up large wall or parking areas.

Hard landscaping can also be effective in introducing attractive textures, colour, patterns and sculptural features into floor areas and should be designed to incorporate crime prevention considerations. Only in exceptional circumstances will it be considered appropriate to dispense with a landscaping scheme in the submission for new development.

See also policy **EV2E** which refers to the promotion of biodiversity through the use of native species in planting schemes.

*(Policy EV3E was deleted at Revised Deposit stage).*

### **\* EV3F The River Douglas, Canal Network and Other Water Features**

**The Council will have regard to the potential of the canals, the river and other significant water features when evaluating development proposals which adjoin or affect them, in particular by ensuring that such development, by reason of its layout, external appearance and access arrangements, is sympathetic to the visual qualities of the area and its traditional waterside character and the wildlife value of its features.**

*\*(4, 5, 6, 7, 8, 10, 11, 15, 16, 22, 23, 24, 25)*

The canals, the River Douglas and other significant water features within the Borough form, or have the potential to form, distinctive landscape features for much of their length in both the built up and open areas. Traditionally, buildings located near the canal were both functionally and aesthetically strongly related to them. Unfortunately, more recently both the river and the canals have been seen as a hazard and much development has minimised or precluded access and ignored any design relationship to these water areas. In future, the Council will seek to enhance the canals and river as a landscape feature by increasing accessibility, removing or relieving eyesores and by the creation of a positive relationship between the canals, the river and any new development which adjoins them.

### **EV3G Telecommunications Development**

**In considering proposals for telecommunications development the Council will have regard to the following:-**

- (a) the operating requirements of telecommunications technology;**
- (b) the availability of alternative sites for telecommunications development;**

- (c) the feasibility of sharing facilities and sites;**
- (d) the characteristics and predominant land uses of the area.**

**Equipment and structures must be sited and designed so as to minimise their visual impact by ensuring:-**

- i. in the case of telecommunications masts, that wherever possible and appropriate they are attached to an existing building or structure;**
- ii. that in large new developments telecommunications systems are provided underground when it is feasible to do so;**
- iii. that wall mounted dishes and apparatus are placed in the least obtrusive position possible when viewed from the street;**
- iv. that dishes and antennae are, wherever possible, placed below the highest part of the roof of a building.**

**Telecommunications equipment will not be permitted where it would harm the character and appearance of:-**

- a listed building or its setting;**
- a building of local interest or its setting;**
- a designated conservation area or a building within it;**
- a scheduled ancient monument.**

**All new telecommunications base stations must meet the ICNIRP (International Commission on Non-Ionising Radiation) guidelines.**

The Council recognises the importance of modern communications in the social and economic life of the Borough. A balance must be struck between the need to protect and enhance the environment and making reasonable provision for telecommunications development. The General Permitted Development Order provides opportunities to erect many facilities without reference to the Council although in some cases intervention is allowed where there is a significant amenity issue. Where in respect of larger installations planning consent is required, the Council will need to be sure that all possible alternative sites have been investigated and that all attempts have been made to minimise the impact of the equipment by consideration of sharing facilities, erection of radio masts on existing structures and careful siting and design. In large developments visual impact can be avoided by placing facilities underground when it is feasible to do so.

In the case of dish and other domestic installations, they should be sited so as to minimise their impact on the local environment.

In areas where there is special concern for or designations to protect visual amenity or heritage resources (as set out in the penultimate paragraph of the policy) the Council will apply more stringent control over the siting and design of telecommunications installations.

It is the Government's view that if a proposed development meets the ICNIRP (International Commission on Non-Ionising Radiation) guidelines it should not be necessary for an authority, in processing an application, to consider health effects further. Consequently all new base stations are expected to meet the ICNIRP guidelines.

Further advice is provided by the Council's Supplementary Planning Guidance on Telecommunications Development.

### **EV3H Public Art**

**The Council will expect, in appropriate cases, the provision of new works of art, craft or decoration as part of development proposals and, in determining an application for planning permission, will have regard to the contribution made by any such works to the appearance of the scheme and to the amenities of the area.**

The provision of public art is a significant factor in enhancing the environment and can help to make new buildings and spaces particularly distinctive. Public art is also recognised as an important tool in encouraging community participation and promoting social inclusion and a sense of 'ownership' within the development/regeneration process.

The contribution of public art to a project may be expressed in the widest imaginable variety of ways from initial design decisions to integrated artworks, from articles of street furniture to one-off celebratory events associated with the project's completion. Whatever approach is adopted, the key aim will be to produce artworks that give a sense of identity and meaning to the project and which will enrich the quality of the environment as a whole.

Further guidance for developers on achieving quality in public arts projects is available from the Council in the form of a leaflet entitled *Art Adds Value*.

## **EV4 CONSERVATION**

**THE COUNCIL WILL CONSERVE THE HISTORIC BUILT ENVIRONMENT BY:-**

- (1) NOT PERMITTING PROPOSALS WHICH WOULD HARM THE CHARACTER OR APPEARANCE OF LISTED BUILDINGS OR THEIR SETTINGS, OR PROPOSALS WHICH FAIL TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA;**
- (2) PROTECTING AND ENHANCING THE CHARACTER AND APPEARANCE OF ANCIENT MONUMENTS, SITES, BUILDINGS AND STRUCTURES OF ARCHAEOLOGICAL INTEREST AND HISTORIC LANDSCAPES;**
- (3) EXERCISING ITS NORMAL DEVELOPMENT CONTROL POWERS TO ENCOURAGE THE PROTECTION AND ENHANCEMENT OF BUILDINGS OF LOCAL INTEREST;**
- (4) ENCOURAGING THE OCCUPATION OF OLD BUILDINGS AND PERMITTING NEW USES WHICH ARE COMPATIBLE WITH THEIR CHARACTER AND SETTINGS;**
- (5) CARRYING OUT ENVIRONMENTAL IMPROVEMENT SCHEMES IN CONSERVATION AREAS.**
- (6) DESIGNATING NEW CONSERVATION AREAS AND REVIEWING THE BOUNDARIES OF EXISTING ONES WHERE THE QUALITY AND INTEREST OF THE AREA IS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST DUE TO:**
  - THE HISTORIC LAYOUT OF PROPERTIES, BOUNDARIES AND THOROUGHFARES;**
  - THE PARTICULAR MIX OF USES;**
  - THE USE OF CHARACTERISTIC MATERIALS;**
  - THE APPROPRIATE SCALING AND DETAILING OF BUILDINGS;**
  - THE QUALITY OF ADVERTISEMENTS, SHOP FRONTS, STREET FURNITURE AND HARD AND SOFT SURFACES;**
  - THE QUALITY OF VISTAS ALONG STREETS AND BETWEEN BUILDINGS;**  
**OR**
  - THE EXTENT TO WHICH TRAFFIC INTRUDES AND LIMITS PEDESTRIAN USE OF SPACE BETWEEN BUILDINGS.**

The conservation of the best of the built environment forms a major component in enhancing and protecting the heritage of the Borough. This is not only a matter of protecting and enhancing historic buildings themselves but also their setting. Such an approach can only be successful if new uses can be found for old buildings so as to provide funding for their preservation and restoration and by sensitive control over all aspects of design.

The use of reclaimed materials in restoring buildings will usually make economic sense as well as helping to minimise the use of primary minerals.

Further areas will also be considered for designation as Conservation Areas and the boundaries of the existing Conservation Areas will be reviewed by consideration against the broad criteria listed in clause (6) of the policy.

#### **\* EV4A Development and Design in Conservation Areas**

**In addition to other development and design policies which apply throughout the Borough, the following considerations will be applied within Conservation Areas and their settings:-**

- (a) The Council will ensure that any proposal for development within a Conservation Area will preserve or enhance and will not harm the character or appearance of that area;**
- (b) The demolition or inappropriate alteration of buildings which make a positive contribution to the historical, architectural or industrial archaeological character or appearance of a Conservation Area will not be permitted;**
- (c) Consent for demolition will only be granted subject to the building not being demolished before a contract for carrying out the redevelopment of the site to a high standard of design is made for which planning permission has been granted or some other legally binding commitment has been made;**
- (d) Proposals which include the demolition of significant features including porches, chimneys and boundary walls/railings or which remove or alter architectural features of value will not be permitted. The retention or, where features are missing, restoration or where inappropriate forms or features are present, the remodelling of the external character of buildings, particularly with regard to windows, roofs, materials and advertising will be required;**
- (e) Signs should preserve or enhance the character or appearance of the Conservation Area and its setting and will be permitted provided they meet the following criteria:-**
  - (i) Fascia signs should, particularly in terms of their size, proportions, degree of projection, positioning, materials, type of construction, colour and the style and size of lettering, be in keeping with the character of the shop front, fascia details and materials, the building as a whole and the area. If they are to be illuminated they should be externally illuminated using unobtrusive and discreet light fittings or take the form of individually illuminated and individually affixed letters;**
  - (ii) The cumulative impact of advertisements should not detract from the character or appearance of the building or locality. Advertisement structures should not be superimposed on other advertisement structures;**
  - (iii) Projecting or hanging signs should be of small size, thin section and if illuminated, should be discreetly externally illuminated and located at fascia level;**

- (f) The Council will encourage the preservation and, where necessary, the sensitive relocation of attractive items of street furniture and will encourage the preservation and, where possible, the enhancement and extension of stone sett and flag surfaces. Where works are undertaken to these and other special surfaces, such as paviers, temporary or permanent reinstatement should be in the original material;**
- (g) The Council will encourage the removal of buildings detrimental to the character of Conservation Areas;**
- (h) The rendering or cladding of stone and brick buildings will not be permitted.**
- (j) Proposals which involve development, including relatively large-scale extensions, within the grounds/gardens of dwellings and other buildings such as churches where the grounds contribute to the character of the Conservation Area will not be allowed.**

\*(4, 5, 6, 7, 8, 10, 11, 16, 17, 18, 21, 23, 24, 26, 28)

These considerations are only applicable where planning permission or advertisement consent is required and do not purport to restrict permitted development rights.

There are currently 22 Conservation Areas in the Borough which represents a major part of its historical and architectural heritage. This policy details the main considerations that the Council will apply when assessing development proposals within them or within other Conservation Areas which may be designated in the future. Buildings which are considered to make a positive contribution to the character of the Conservation Area include those with some defects such as inappropriate window frames, advertisements or shop fronts or which are in need of repair. Any development of such premises will be expected to include suitable repairs and the replacement of inappropriate features with more sympathetic ones.

Advertisements can have a dramatic impact on the appearance of Conservation Areas. Well designed signage can be both sensitive and visually interesting in relation to the character and appearance of such areas whilst being commercially effective. It is important however that signs are not too prominent or dominant and that they do not cover up high quality materials such as brickwork, stone, tiles or polished finishes which are integral to the building. Signs should also not cover up, obscure, detract from or damage architectural features of the building, or fascia area and their size, proportions and location should not alter the extent of glazing in the shop front or the proportions of the upper façade and fenestration pattern. Standardised solutions such as the use of illuminated boxes or box-like structures are unlikely to be acceptable. For certain building types such as public houses a location for hanging signs above the fascia level may be justifiable in relation to traditional practice in the area.

## **EV4B Listed Buildings**

**The Council will encourage the protection and where appropriate enhancement of Buildings of Special Architectural or Historic Interest and their settings. In particular, it will:-**

- (a) Not permit the demolition of Listed Buildings or significant parts of them unless a convincing case for demolition has been made out and the Council is satisfied that all possible means of retaining the building have been exhausted;**
- (b) Ensure that proposed internal and external alterations, extensions and other development proposals affecting Listed Buildings or their settings will not be permitted unless they are in keeping with the building's character;**
- (c) Permit appropriate alternative uses for Listed Buildings which ensure their preservation and which would not adversely affect their architectural character or settings;**
- (d) Secure proper preservation of occupied and unoccupied Listed Buildings to prevent their falling derelict where further deterioration would irreversibly affect their long-term futures;**
- (e) Require the replacement of inappropriate features, materials or sections as part of any scheme involving the change of use of Listed Buildings.**

This policy details the main considerations that the Council will apply when assessing development proposals to or affecting buildings included in the list of Buildings of Special Architectural or Historic Interest in the Borough. It may be necessary to relax the strict interpretation of other policies of the Plan, for example Green Belt policy, in order to ensure the survival of particularly important buildings or to ensure that extensions are in scale or character with a Listed Building.

## **EV4C Buildings and Structures of Local Architectural or Historic Interest**

**The Council will encourage the protection and enhancement of buildings and structures of local architectural or historic interest and their settings. Development schemes including alterations, changes of use and advertisements will be expected, wherever practicable, to respect their character and retain or restore their original or historic features, materials and form.**

There is a whole range of buildings and structures in the Borough which form a significant part of the familiar and cherished local scene, the major exemplars of which are listed in Appendix 10. Further extensions of the list of Buildings and Structures of Local Architectural or Historic Interest will be published as Supplementary Planning Guidance and incorporated into the Plan at Review. The relative weight to be given to the content of an adopted development plan and of supplementary planning guidance is set out in PPG12. These buildings, whilst not currently justifying inclusion on the statutory list, do possess local historic or architectural merit, are a major part of the Borough's historic environment, its day to day history and are a rich source of local identity, memory and distinctiveness.

Although the Council does not have the same detailed control over proposals to these buildings and structures as it has over Listed Buildings, it will exercise its normal development control powers to preserve and enhance the buildings. However, sensitive and well-designed alterations or extensions will be permitted, particularly if they help to ensure a building's continued occupation.

The Council will also consider, in appropriate cases, exercising the powers available to it under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to serve Building Preservation Notices in respect of buildings which are not listed, but which it considers to be of special architectural or historic interest and which are in danger of demolition or alteration in such a way as to affect their character.

#### **\* EV4D Historic Parks, Gardens and Cemeteries**

**Permission will not be given to any proposal which is likely to adversely affect the character or setting of any of the following Historic Parks, Gardens or Cemeteries:-**

1. **Haigh Hall grounds, Haighlands, Moat House and Haigh House Gardens, Haigh;** \*(4, 5, 7, 8)
2. **Standish Hall remnant parkland and Ashfield House gardens, Standish;** \*(3, 4, 6, 7)
3. **Kilhey Court grounds, Worthington;** \*(4)
4. **Bispham Hall and Winstanley Hall Parks, Billinge;** \*(14)
5. **Golborne Hall Park, Golborne;** \*(26, 27, 30)
6. **Hindley Hall Park, Aspull;** \*(11)
7. **Atherton Hall Park, Atherton;** \*(17, 18, 23, 24)
8. **Astley Hospital, (former) Astley Vicarage and The Meads, Tyldesley;** \*(24)
9. **Hindley, Atherton, Ince, Tyldesley and Leigh Cemeteries;** \*(10, 11, 15, 17, 18, 23, 24)
10. **Historic public parks at Mesnes Park, Wigan and Lilford Park and Firs Park, Leigh;** \*(10, 17, 18, 23, 24)
11. **Other historic parks and gardens which may from time to time be identified.**

These areas are those where a landscape of particular historic interest remains and where special protection is needed to ensure their survival. Such a designation would not necessarily preclude development but would certainly require that particular consideration be given to the amount and design of any development which may be allowed. Similarly, there may be some proposals which involve only the change in the use of the land without any building development but which could be unacceptable by virtue of their impact on the landscape. The Council will apply the terms of this policy to other historic parks and gardens which may from time to time be identified only after these have been listed in supplementary planning guidance which has been adopted in accordance with the advice of PPG12. This supplementary planning guidance will be incorporated in the development plan at the next review. The relative weight to be given to the content of an adopted development plan and of supplementary planning guidance is set out in PPG12.

Mesnes Park, Wigan is included on the National Register of Historic Parks and Gardens compiled by English Heritage. Appendix 6 gives further details of these sites.

**\* EV4E Archaeology, Ancient Monuments and Development**

**The Council will protect and enhance the character and appearance of sites, buildings and structures of archaeological interest and Ancient Monuments. In particular, it will not allow development proposals which fail to:-**

- (a) Enhance and preserve in situ scheduled or unscheduled Ancient Monuments of national importance and, in appropriate circumstances, significant unscheduled monuments of more local importance or which fail to adequately protect the setting of such monuments;**

**\*(4, 7, 8, 10, 14, 24, 25)**

- (b) Incorporate an approved scheme of archaeological investigation (including, where appropriate, excavation, recording and salvage work prior to development with subsequent analysis and publication of results), if necessary, with funding by the developer, in cases where destruction or removal of any ancient monument or archaeological remains, known or believed likely to exist, is considered acceptable by the Council. Conditions may be imposed requiring such investigations as part of the planning permission.**

Where fresh archaeological discoveries of significant importance are made during development, the Council will seek to ensure their preservation.

The importance of Ancient Monuments and archaeological sites means that proposals which may affect them will be carefully vetted to ensure that they do not damage such sites. In certain cases it may be possible for an applicant to demonstrate that particular archaeological sites and monuments will be satisfactorily preserved either *in situ* or by record (i.e. adequately investigated and the results reported). Preservation by record is regarded as a less satisfactory option.

Despite Government advice, it is not considered appropriate to specify all the areas and sites to which this policy applies on the Proposals Map. The lack of information on many archaeological sites as well as the impracticality of plotting the multitude of sites on the Proposals Map rules out such an approach. However, the Sites and Monuments Record (SMR) for the Borough forms the basic source of up-to-date information to identify such sites and areas. It is kept within the Planning and Development Department and performs the function of Supplementary Planning Guidance. The relative weight to be given to the content of an adopted development plan, of supplementary planning guidance which has been prepared in the proper manner and to other material considerations is set out in PPG12. The advice and assistance of the Greater Manchester Archaeological Unit will be sought in assessing planning applications for development affecting ancient monuments and archaeological sites.

The 12 Scheduled Ancient Monuments in the Borough are shown on the Proposals Map.