

STATEMENT OF REPRESENTATIONS

Reuse of Employment Land and Buildings for Non-Employment Uses

Main issues raised in representations and how they have been addressed in the SPD.

Stakeholder	Stakeholders' comments	Wigan Council's response
Manchester Airport	No comments	None
Beva Group, Rochdale	<p>The simplest way for the local authority to establish whether there is a market for employment land which is being proposed to be used for alternative uses, is to require the vendor to erect at his cost at least one large marketing board (6'x 6' or as appropriate) on the site for 12 months. This would offer the site on either a leasehold or freehold basis and require all interested parties to contact one telephone number which would be the council's economic development office (or an agent appointed by the local authority at the vendor's expense to undertake this function). They would collate a list of all the interested parties requirements and contact details. The council would be obliged to forward these onto the vendor, by email as they are received. Assuming the site had not been let or sold for employment use at the end of the 12 month period, the council would then have its own database of interested parties which it could contact to determine why they had decided not to proceed with acquiring an interest in the site. In this way the council could establish directly from potential purchasers whether there genuinely was a market for employment use or whether the vendor was manipulating the marketing of the site to make it appear as though there were no market. This scheme could also be extended to require</p>	<p>The 4th bullet point under paragraph 4.7 in the draft SPD requires evidence that a site has been continuously advertised on site by way of an agent's advertisement board on each site frontage to the highway throughout the period, namely at least 12 months as a guide as stated in paragraph 4.5. It would be inappropriate for such a board to only include the Council's telephone number as the Council does not run an estate agency. However, the Council's Economic Regeneration Office (ERO) would be happy to have their contact details (telephone, email and website) on a marketing board if invited. The 4th bullet point is amended accordingly.</p> <p>The ERO already keeps a database (to which the 5th bullet point refers) of available premises and receives 100s of enquiries annually which are recorded. Enquiries are matched to suitable premises and contact made. There is, therefore, already an independent record of demand and supply that the Council can draw upon as evidence. No change.</p> <p>It would be unreasonable for the Council to be any more prescriptive with regard to where and how press</p>

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	<p>the vendor to place over the 12 month period at least 1 quarter page advertisements every 3 months in the Estates Gazette / Property Week and 4 sizeable advertisements in the local newspapers commercial property column. These advertisements would again carry only the council's Economic Development Unit telephone number as the principle point of contact. Failure to market the site along these lines in an open and transparent way would constitute grounds for a refusal of the application for the proposed alternative land use.</p>	<p>advertisements are placed than it is in the draft SPD (2nd bullet point under paragraph 4.7). No change.</p>
G Seaward, Orrell	<p>4.7 Add re-use of employment land and buildings for non-employment uses outside the Green Belt.</p>	<p>Paragraph 4.7 is about the marketing statement. It would not be appropriate to refer to the Green Belt. The SPD is supplementary to Policy EM1B in the Replacement UDP and therefore applies to the Green Belt in the same way as Policy EM1B does. It covers green belt sites except those identified as 'Major Developed Sites in the Green Belt' under Policy GB1E. No change.</p>
Nolan Redshaw, Bury	<p>2.1 It is a great idea but very few people "access employment opportunities close to where they live". In modern Britain apart from home workers/tele-workers this is simply not going to happen.</p>	<p>'Close to where they live" is a relative measurement, it does not mean 'next door' but within a reasonable distance that could be walked, cycled or accessed by public transport. No change.</p>
	<p>3.1 Broadly agree with this approach - all sites are different and have a number of factors that would inform a decision.</p>	<p>The approach outlined is taken directly from Policy EM1B. No change.</p>

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Nolan Redshaw, Bury (continued)	4.1 Marketing is a complete waste of time. An unscrupulous agent could simply report that there are no enquiries for the unit/site. The way to get round this is to commission a report from an independent Member or, preferably, Fellow of the Royal Institute of Chartered Surveyors.	Testing the market is a recognised part of the development process and an important part of the evidence base to show whether there is or is not a demand. The activities of an unscrupulous agent can be countered by the evidence of the Council's own property-finder database. The draft SPD (paragraph 4.4) already refers to the marketing statement being prepared by a suitable professional person such as a Chartered Surveyor. No change.
	4.4 There is no need for the surveyor to be Wigan based provided he/she has the appropriate expertise.	It does not state that the surveyor should be Wigan based. It states that it should be a "suitable professional person <u>such as</u> a Chartered Surveyor, who is active... in <u>the area of</u> Wigan Borough". Nevertheless, it would be appropriate to replace "who is active in" with "who has a sound knowledge of".
	General marketing comments: the agent will normally be instructed by the person wanting to achieve the change of use and is under a duty to do the best for his client. The only other way of overcoming this problem is for the council to appoint an independent surveyor. It would be far more suitable and cost effective to have an independent report, which would also save 12 months of marketing.	It would be unreasonable to expect the Council to take on the costs of appointing an independent surveyor for a site that is not in its ownership (at the taxpayers expense) each time such a situation arises. In most cases the landowner will be seeking to maximise the value of property in their ownership and they should be exposed to the financial risks involved. No change.

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	10.1 If you want people to work near to where they live, how can you possibly contemplate getting rid of small niche sites?	The criterion allowing the redevelopment of small sites is criterion (g) of Policy EM1B in the Replacement UDP. It cannot be changed through this SPD process which must, by definition, be supplementary to the policy. Regardless, it would not be realistic to seek to retain every site and there has to be a size threshold. Otherwise, as response to 2.1 above. No change.
Commercial Development Projects Ltd, Elland	The comments I made on 22 June 2005 have been taken into account in the preparation of the draft SPD. It has turned out to be a rather long document but I have no further improvements to suggest.	Noted with thanks.
Lancashire County Council	No comments.	None
Stephen Abbott Associates on behalf of McInerney Homes Limited	The text under Policy EM1B states that "Policy EM1B does not apply to employment sites that are identified as major developed sites in the Green Belt under Policy GB1E." This textual change was endorsed by the UDP Inspector at paragraph 7.246 of his report. However the draft SPD makes no reference to Green Belt or major developed sites identified under Policy GB1E. In that respect it could lead to confusion and ambiguity. In order to ensure consistency and avoid ambiguity we would respectfully suggest that the draft SPD should explicitly state that Policy EM1B and, therefore, the SPD do not apply to employment sites identified as major developed sites in the Green Belt under Policy GB1E. It would seem appropriate for any new text to be inserted in Section 2 of the SPD.	The purpose of SPD is to provide supplementary policy to that within a development plan document (DPD), in this case the draft Replacement UDP. There is normally no need to repeat elements of the policy contained within the DPD unless there is a need to supplement it. However, there has been some confusion about the status of the SPD to major developed sites in the Green Belt. Therefore, in these circumstance it would be appropriate to repeat the statement in the text under Policy EM1B within the SPD, and Section 2 would be the appropriate section to insert it.

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United Utilities, Warrington	UU take an impartial view on the re-use of employment land and buildings for non-employment uses. However, we should point out that utility infrastructure capacity is available to serve the planned development. Also it is important that developers check for the presence of underground utility services in the very early stages of design or before the site is purchased. Either of these issues have the ability to sterilise the proposed site for development.	As noted in the Revised Deposit Plan, Policy EM1B is concerned with the circumstances when the loss of an employment site is acceptable, not whether an alternative development or use is acceptable. Infrastructure capacity and the presence of underground services are issues for redevelopment. No change.
Environment Agency, Warrington	Support section 5 'Environmental legacy and impact.	Support welcomed.
	PPG25 paragraph 30 expects local planning authorities and developers to apply a risk based sequential test when considering development sites. Sites which may be considered acceptable in flood risk terms for employment uses may be deemed unacceptable for other uses, particularly residential or institutional accommodation.	As noted in the Revised Deposit Plan, Policy EM1B is concerned with the circumstances when the loss of an employment site is acceptable, not whether an alternative development or use is acceptable. No change.
The Theatres Trust, London	The SPD raises no issues as far as The Theatres Trust is concerned.	Noted.
Matthews and Goodman, Manchester	The SPD criteria certainly clarify the checklist that a developer would have to go through in promoting the redevelopment of the employment site for alternative uses. The SPD could therefore be perceived to be introducing greater flexibility which is at this stage focused upon Policy EM1B rather than EM1A. We consider this a potentially dangerous stance to adopt independent from a full review of the capacity, viability and potential of all employment land within the Borough. It should be recognised that some primary employment	A Supplementary Planning Document (SPD) is supplementary to a development plan document, in this case the draft Replacement Unitary Development Plan (RUDP). It cannot amend policy. The distinction between RUDP Policy EM1A sites and RUDP Policy EM1B sites is established in the draft Replacement UDP. The SPD criteria are taken directly from the criteria in Policy EM1B. There is no more distinction made by the SPD between Policy EM1B and Policy EM1A sites. It is simply the case that the SPD sets

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<p>Matthews and Goodman, Manchester (continued)</p>	<p>sites provide excellent opportunities for a number of other uses as well as employment. Some sites in particular larger sites would benefit from a mix of complementary uses as well as the predominant employment uses. The mix of uses will in turn promote the regeneration of the site and surrounding area.</p> <p>It should also be recognised that many of the criteria outlined apply to primary employment sites as well as secondary employment sites, such as viability. The same considerations could offer support for redevelopment of land that is identified in Policy EM1A, such as a mixed use approach where perhaps half of the original employment area is redeveloped for a more credible and viable employment use with the remaining half being redeveloped for non-employment activity.</p> <p>If guidance of this kind does result in secondary employment areas being lost there will clearly be an increased emphasis upon the retention of the primary employment land. This may not be appropriate, feasible or viable.</p> <p>In our view this SPD should address the re-use of all employment land and buildings for non-employment uses. A distinction could still be made between EM1A and EM1B sites.</p>	<p>out how the criteria in Policy EM1B might be met. No change.</p>
<p>GL Hearn, Warrington, on behalf of Tesco Stores Ltd.</p>	<p>Re criterion (d), in accordance with advice in PPS1 (Paragraph 27), it is considered that the SPD could be improved by adding reference to the benefits which can result for the introduction of other mixed uses, including retail development, in locations that allow the creation of</p>	<p>As noted in the Revised Deposit Plan, Policy EM1B is concerned with the circumstances when the loss of an employment site is acceptable, not whether an alternative development or use is acceptable.</p> <p>In addition, a Supplementary Planning Document</p>

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<p>GL Hearn, Warrington, on behalf of Tesco Stores Ltd. (continued)</p>	<p>linkages between different uses in order to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities.</p> <p>Retail development in appropriate location can act as a key employment generator in its own right and can provide the opportunity to enable new or improved employment development as part of mixed use proposals. In this way it can provide the opportunity to promote sustainable mixed use development as an alternative to simply maintaining large areas of employment land where there is little opportunity for integration with other uses.</p>	<p>(SPD) is supplementary to a development plan document, in this case the draft Replacement Unitary Development Plan (RUDP). It cannot amend policy. The approach of Policy EM1B is established in the draft Replacement UDP. The SPD sets out how the criteria in Policy EM1B might be met. No change.</p>
<p>Cllr Jim Ellis</p>	<p>The document is confusing with regards to defining what its intentions are in the case of mixed use sites that include employment uses, such as Clarefarm.</p>	<p>The SPD applies to employment uses as set out in the 'box' under heading 2 'Background', which refers back to the Replacement UDP. In the RUDP the 'box' under Policy EM1 (page 38 in the Revised Deposit Plan) gives a fuller explanation. Policy EM1B and the SPD would apply to mixed use sites insofar as they incorporate employment uses as defined in the Plan, and to the extent that they incorporate them. This is clarified in the box under heading 2 in the SPD.</p>
<p>English Nature, Wigan</p>	<p>English Nature supports pollution being raised as a significant issue in respect of its potential impacts upon the natural environment (paragraph 5.3 of the section on Environmental Legacy or Impact).</p>	<p>Support welcomed.</p>

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	<p>We feel that it is also worth including specific reference to the potential employment land has in providing ecologically valuable habitat, particularly on sites which have been in existence for many years. As a result, this land may have the potential to provide feeding, breeding or roosting opportunities for a range of species, some of which may be protected. As a consequence, surveys for protected species may need to be considered in respect of any change of use of this land in the future. Reference to your SPD on Landscape design submissions would also be useful in respect of this matter.</p>	<p>The point is noted but the SPD is supplementary to Policy EM1B in the draft Replacement Unitary Development Plan. As noted in the Revised Deposit Plan, Policy EM1B is concerned with the circumstances when the loss of an employment site is acceptable, not whether an alternative development or use is acceptable. Policy EV2D covers protected species. This would apply to any proposed redevelopment. No change.</p>
	<p>Similarly, the redevelopment of the land, especially if it is for housing, should also refer to the SPD for the Provision of open space in new housing developments, adoptions and financial contributions from developers, in which there are significant details of including biodiversity within such schemes.</p>	<p>As noted in the Revised Deposit Plan, Policy EM1B is concerned with the circumstances when the loss of an employment site is acceptable, not whether an alternative development or use is acceptable. No change.</p>

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North West Regional Assembly	<p>You will be aware that from 28 September 2004 the new planning act and attendant regulations have incorporated Regional Spatial Strategy (RSS) ¹ into the statutory development plan. It would be helpful to include an additional short sub-section in the introduction covering the strategic framework set out in the adopted RSS. It would be particularly useful to make reference to the Core Development Principles, specifically DP1 – Economy in the Use of Land and Buildings; and UR5 – Existing Commitments in Development Plans. While UR5 deals specifically with undertaking a comprehensive review of commitments as part a development plan review, the policy sets out criteria, which the Assembly would expect to be applied on a site-by-site basis.</p>	<p>A Supplementary Planning Document is supplementary to a policy or policies in a development plan document (DPD) or other saved development plan within the Local Development Framework, in this case Policy EM1B in the draft Replacement Wigan UDP. It does not need to refer to the wider development plan policy framework within which Policy EM1B has been prepared. No change.</p>
	<p>The Draft RSS currently being prepared includes a policy on the release of allocated employment land for other uses (Policy W3). This will be developed over the coming months prior to submission of the draft RSS to the Government in January. At a strategic level this policy supports the provisions of this SPD.</p>	<p>Support welcomed.</p>

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<p>Broadway Malyan, Manchester on behalf of Westbury Homes (Holdings) Limited</p>	<p>Planning Policy Statement 12: Local Development Frameworks sets out the Government's procedural approach in the preparation of Local Development Frameworks (LDF). Local planning authorities should use PPS12 to guide them through the preparation of their LDF. SPDs will form one part of the LDF, which collectively will shape the planning framework for the area. SPDs should be used by Local Planning Authorities to expand policies or provide further detail to them. They can be either thematic or site specific but must not be used to allocate land. PPS12 states that SPDs must comply with the following principles:</p> <ul style="list-style-type: none"> ▪ Consistent: Both with National, Regional and Local planning policy ▪ Cross referenced: with relevant policies in the Local Development Plan (saved policies) or Development Plan Documents ▪ Reviewed on a regular basis ▪ Clear and conforming to the Statement of Community Involvement (SCI). <p>We support the creation of an SPD in relation to the reuse of employment land for non-employment uses to add more detail to EM1B. We recognise that the Council has followed the guidelines as set out in PPS12, in relation to the publication of the Statement of Conformity and the consultation process.</p>	<p>Support welcomed.</p>

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<p>Broadway Malyan, Manchester on behalf of Westbury Homes (Holdings) Limited (continued)</p>	<p>We also welcome the SPD's conformity with Planning Policy Guidance 3: Housing (PPG3). PPG3 highlights the Governments commitment to maximising the reuse of previously developed land to both promote regeneration and minimise the amount of Greenfield land being released for development.</p> <p>Paragraph 42 'Reallocating employment and other land to housing' in PPG3 allows for employment land to be used for housing where there is no longer a need for such use. In general, policy EM1B and the draft SPD falls in line with this thought, and we wholly support it.</p> <p>PPG3 sets a target of 60% of all new housing should be located on previously developed land by 2008. Regional targets are also set in the Regional Spatial Strategies (RSS). The North West RSS is currently under review, the recently published draft RSS has stated that 80% of new housing should be developed on previously developed land in Wigan. The SPD should help achieve this target, by encouraging the reuse of employment land to more appropriate uses, such as housing.</p>	<p>Support welcomed.</p>

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<p>Broadway Malyan, Manchester on behalf of Westbury Homes (Holdings) Limited (continued)</p>	<p>The SPD recognises that other uses, other than employment uses, may mitigate the environmental legacy left on a site by employment uses. However, we are of the view that the SPD fails to acknowledge the financial implications of countering the environmental legacy left by employment uses, particularly contaminated sites, for other uses, such as housing. The cost of mitigating contaminated land will inevitably affect the purchase price of the land, regardless of the proposed use, which the SPD fails to highlight.</p> <p>We are of the view that the SPD should also highlight that environmental mitigation may be cheaper for other uses, which have more hard standing landscaping features, such as commercial uses, then residential uses which have softer landscaping features.</p>	<p>The policy recognises that there may be circumstances when it is appropriate to allow a site to be redeveloped for other uses when that is the only means by which mitigation of a significant environmental problem can be achieved. A means by which this might be achieved is when there is a significant cost involved in mitigation and a higher value end use is required to pay for it. The effect on the land value is not relevant to the planning process other than the fact that there is enough to mitigate the problem and bring forward the site for redevelopment.</p> <p>If mitigation is cheaper for other uses including employment uses then there may be a case for retaining it for employment uses.</p> <p>No change.</p>

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<p>Broadway Malyan, Manchester on behalf of Westbury Homes (Holdings) Limited (continued)</p>	<p>Whilst we recognise the importance of ensuring there is sufficient employment in the area to support the local economy, we also believe there is little point in needlessly protecting existing employment sites, when for example they are poorly located and unsuitable for modern business needs.</p> <p>We also recognise the importance for a planning application to be supported with a marketing statement to prove that the site has been adequately marketed. However, we question the Council on a number of matters. Firstly, the number of months a site should be actively marketed (12 months), where has this figure derived from? What research has been undertaken to justify this time period?</p>	<p>Agree - the purpose of Policy EM1B and the SPD is to retain employment sites that are well located and suitable for business and set out criteria against which such judgements will be made.</p> <p>At the informal consultation stage a range of time periods were suggested from 3 months to 2 years or more. 12 months is midway between these suggestions. On the basis of the Council's experience in economic regeneration it is considered to be an appropriate length of time to ensure that an informed decision can be made either way, without unduly restraining commercial interests. Indeed, if the owner / developer is confident that one of the policy criteria can be satisfied, then the time delay can be reduced by proceeding with other work. Furthermore, part of the purpose of the SPD is to raise awareness and ensure that the 12 months starts right at the outset of the process and not 6 or 12 months to it.</p> <p>No change.</p>

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<p>Broadway Malyan, Manchester on behalf of Westbury Homes (Holdings) Limited (continued)</p>	<p>Secondly, whilst we understand that the SPD adds detail to policy EM1B, we are of the view that specifying the journals and publications that the site should be advertised in is unreasonable. It may be the case that Government owned land is subject to marketing requirements, but as the majority of employment land is privately owned it is the right of the landowner to obtain full market value. This may not be possible if the site is required to advertise in certain publications.</p> <p>Each application for change of use should be determined on an individual basis and on its own merits. Each site will be a different size, have different features (which will attract different types of business of different sizes), which will therefore require different marketing approaches. The SPD should provide guidance on the type of evidence to be included within the marketing statement, but not explicitly name, which publications and websites a site should feature in.</p>	<p>The draft SPD does not specify any journals or publications other than, depending on the location and scale of the site, it should normally include the Manchester Evening News. Ultimately it is up to the owner / developer about the extent of evidence they need to present. No change.</p>

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<p>HOW Planning, Manchester on behalf of Morris Homes Ltd</p>	<p>Paragraph 1.1 – the SPD relates to the Council’s policy EM1B of the Replacement UDP, which is expected to be adopted in 2006.</p> <p>It is clear from the Town and Country Planning (Local Development) (England) Regulations 2004, at Part 4, that all the matters covered in SPD must relate to policies in a DPD or a saved policy in an existing Development Plan. This does not include emerging planning policies. The Draft SPD can only be adopted <i>after</i> the Replacement UDP Policies, to which they are listed, are adopted. Until this time it is not considered that the document should be given any material weight.</p>	<p>The Council will not formally adopt the SPD until the Replacement UDP is adopted.</p>
	<p>Paragraph 4.4: we would query why the marketing statement needs to be prepared by a chartered surveyor. Provided it addresses the pertinent issues then there is no planning reason why it cannot be prepared by any other party. It will obviously need to include appropriate evidence to support the proposal. Furthermore, the paragraph refers to these individuals as being ‘certified accordingly’ but gives no indication as to what this actually means? Does it refer to Chartered Surveyors identified and certified by Wigan MBC? If it does, this is in itself unduly restrictive particularly bearing in mind the above and the potential use of national agents.</p>	<p>The paragraph states that the marketing statement should be prepared by a suitable professional <u>such as</u> a Chartered Surveyor. It does not specify that the professional should be a chartered surveyor. A suitable professional will have a professional certificate. The Council does not certify development industry professionals. No change.</p>

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HOW Planning, Manchester on behalf of Morris Homes Ltd (continued)	Paragraph 4.5 refers to marketing being undertaken for at least 12 months. This should refer to it normally being the case, as there may be some circumstances when a lesser period may be equally acceptable.	No change - paragraph 4.5 states that it is difficult to set precise requirements but that it should be 12 months "as a guide". If suitable evidence against the other requirements of the SPD can be provided in a shorter timescale then that will be a material consideration.
	Paragraph 4.6: whilst we take no major issue with this requirement we would suggest the paragraph should include the words 'where appropriate', as each site will need to be taken on its own merits.	Agree - the paragraph is changed accordingly.
	Paragraph 4.7: the prevailing market rates should only be agreed where it is practicable to do so. It should not be an absolute requirement. It may not be reasonable to advertise some of the smaller sites on a regional basis. It should also not be an absolute requirement to advertise the site on an agent's website as they might not have one or they may share a website or have different arrangements for providing information on the web. Whilst the requirement to include sites on the Council's own property finder database and other suggested circulations is desirable, it should not be mandatory as other advertising might be equally appropriate.	<p>Prevailing market rates are central to the whole issue of viability. The Council collects evidence of prevailing market rates on an ongoing basis and any competent agent would be aware of what they would be for a range of different uses. The ability to agree them or not, and the case being made if not will all be part of the Council's consideration as to whether the SPD and Policy EM1B are satisfied.</p> <p>It is most unlikely that an agent could trade effectively without a website. If they do not or do not use it, it will not help their case in demonstrating that the site has been effectively marketed.</p> <p>There is no cost in using the Council's property finder database. Refusal to use it will also not help their case in demonstrating that the site has been effectively marketed</p> <p>No change.</p>

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HOW Planning, Manchester on behalf of Morris Homes Ltd (continued)	Paragraph 4.9 states that lack of market demand will not in itself be sufficient justification but this is actually the requirement of the policy. The paragraph therefore needs clarification if this is to be retained.	Agree - paragraph 4.9 is amended to state: "A lesser financial return on investment relative to other redevelopment or reuse options will not be sufficient to justify the site not continuing to be available for employment use."
	Paragraph 4.12: see comments on paragraph 4.4 above in relation to a suitably qualified surveyor.	See response to paragraph 4.4 above.
	Paragraph 4.14: see comments on paragraph 4.7 above in relation to agreeing market value with the Planning & Regeneration Department.	See response to paragraph 4.7 above.
	Paragraph 4.15: it is important (not?) to overstate the role the grants can play as the circumstances and opportunities are extremely limited.	The potential role of grant assistance is not overstated in paragraph 4.15. It simply states that "it needs to be determined whether there are other approaches available that could influence viability". No change.
	Part 9: Since September 2004 with the enactment of the Planning & Compulsory Purchase Act, paragraph 9.1 should refer to the Regional Spatial Strategy and not Regional Planning Guidance.	Agree - paragraph 9.2 already refers to the Regional Spatial Strategy (RSS - formerly Regional Planning Guidance). This reference is transferred to paragraph 9.1 with paragraph 9.2 amended to refer to RSS only.

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HOW Planning, Manchester on behalf of Morris Homes Ltd (continued)	<p>More generally we object to the omission of any reference the most recent government planning policy guidance inserted into PPG3: Housing - paragraph 42(a). This states that "local planning authorities should consider favourably planning applications for housing or mixed use developments which concern land allocated for industrial or commercial use in saved policies and development plan documents or redundant land or buildings in industrial or commercial use, but which is no longer needed for such use". Whilst this is subject to exceptions it reflects the important role that redundant employment sites can have in promoting sustainable land use patterns and encourage the redevelopment of previously used land.</p>	<p>Policy EM1B has recently been supported by the UDP Planning Inspector (August 2005), subject to a recommended change proposed by the Council. Policy EM1B and the SPD are designed to identify and release redundant land or buildings in industrial or commercial use, but which is no longer needed for such use. No change.</p>
GMPTE	<p>It is disappointing that it does not refer to the need for sites to be accessible by public transport. GMPTE has recently commented on several planning applications for new development on 'brown-field' sites, formerly in employment use, which were completely inaccessible by public transport. In these instances, therefore, GMPTE has asked for developer contributions towards the provision of public transport.</p> <p>The location, layout and design of new development has a direct influence on how people choose to travel and therefore it is important that public transport is considered at the outset of new development proposals rather than fitted in at a later stage, and that the form of provision is made explicit at the planning application stage. This SPD will be an important tool in enabling this to happen and therefore it is considered that a</p>	<p>As noted in the Revised Deposit Plan, Policy EM1B is concerned with the circumstances when the loss of an employment site is acceptable, not whether an alternative development or use is acceptable. Accessibility by public transport is an issue for redevelopment. No change.</p>

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	<p>section on public transport should be included. This should include specific guidance about the location and design of new development in relation to public transport. Bus movements need to be taken into account and the aim should be to ensure that buses can, where appropriate, penetrate the development, and that there is convenient pedestrian access to stops and stations.</p> <p>It is important for new development to be located within reasonable walking distance of a bus stop, or railway station. This will ensure equality of opportunity for those people who do not have access to a car, and will also encourage people to use their cars less. Ideally all parts of the development should be:</p> <ul style="list-style-type: none"> • within 400m of a bus service running every 15 minutes at all times, or • within 250m of bus service running every 30 minutes (day) & hourly (eves & Sun), or • within 800m of a rail station <p>Where a new development is not considered to meet accessibility standards then a developer contribution should be requested to provide additional bus services to the development site.</p> <p>Even where a site is reasonably accessible it is important to encourage the use of public transport and developers may be asked to contribute towards the following measures:</p> <ul style="list-style-type: none"> • Improvements to public transport infrastructure, e.g. bus stops, or improvements to railway stations 	

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	<ul style="list-style-type: none"> • Contribution to a Quality Partnership where the site lies on a Quality Bus Corridor, • A buyers / tenants pack including public transport and cycle route information, location maps of nearby services e.g. grocery stores, post office, health facilities, schools etc. • A “free” one year travel pass included within the purchase price / rental of each unit. • Personalised Journey Planner • Internal intranet facility promoting public transport use <p>GMPTE can also advise in more detail on the type of design it would recommend for layouts, highways and bus stops but this is probably too detailed for inclusion in these two SPDs. However it may be worth including a sentence to say that GMPTE can provide advice on these issues.</p>	
Government Office for the North West	As the SPD is intended to supplement emerging UDP policies, we would advise that they should not be adopted before the UDP itself has been adopted.	The Council will not formally adopt the SPD until the Replacement UDP is adopted.

Stakeholder	Stakeholders' comments	Wigan Council's response
Government Office for the North West (continued)	From a resourcing point of view we are generally unable to comment in detail on Sustainability Appraisal reports, other than to draw attention to the recently published ODPM guidance 'Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents'. Figure 9 on page 59 of the guidance sets out stages and tasks which are envisaged to be carried out as part of the SA process.	Noted. The Council has drawn on the relevant material in the Sustainability Appraisal (SA) for the parent DPD, in this case the Revised Deposit Replacement UDP. An appraisal was undertaken to see if the SPD changed any of the conclusions of the SA of Policy EM1B, either negatively or positively. It had no significant social, economic or environmental effects beyond those already appraised in relation to the parent DPD. It has therefore accorded with the requirements of the ODPM guidance.
McDyre & Co, Frodsham	2.4 Although it is stated that Policy EM1B does not consider the acceptability or otherwise of the alternative development or uses, criterion (h) of the policy seeks to do just that and should be deleted. This was also the recommendation of the UDP Inspector.	Agree. Criterion (h) is deleted by virtue of Proposed Modification PM45 in accordance with the Inspector's recommendation 7.35. It was included in Appendix 1 to the SPD in error and is deleted.
	4.5 Substitute the words "about" for the words "at least" before the words "twelve months". As many of the respondents have stated some flexibility is required depending on marketing conditions.	Paragraph 4.5 states that "the Council considers that" it should be "at least twelve months in the current market situation" but this is "a guide". Ultimately, what is important is the strength of the evidence that is submitted and if the owner / developer considers that it can be delivered in less than 12 months then that is their decision. The Council will consider what is presented. No change.
	4.7 It is not necessary, and indeed can be counter-productive, for advertising to be carried out continually over a 12 month period. This tends to make the property "stale" if the market is not buoyant, particularly with regard to on-site sale boards which are noticeable in the everyday environment.	12 months is not an unduly long time to have a board on site. Any longer and it may be the case which reflects the Council's decision to use 12 months as a general cut-off point. No change.

Stakeholder	Stakeholders' comments	Wigan Council's response
McDyre & Co, Frodsham (continued)	4.9 We don't see how a site can continue to be available for employment use if it is demonstrated that it is uneconomic. It is clear Government policy for example in PPG3 and in the Regional Spatial Strategy (RSS) that under-performing employment land should be strongly considered for housing purposes. This paragraph should be deleted.	Agree - paragraph 4.9 is amended to state: "A lesser financial return on investment relative to other redevelopment or reuse options will not be sufficient to justify the site not continuing to be available for employment use."
	4.15 The availability of grant aid would be built into a viability assessment for the continued employment use of the site. This paragraph should be deleted.	It would be inappropriate to delete this paragraph because the issue needs to be considered and it is appropriate for the SPD to ensure that it is. No change.
	Generally PPG3 as already amended and the recent draft PPG3 place great store in redundant employment land and sites being prime source for housing, and indeed other, development. The Draft RSS of October 2005 seeks at least 80% re-use of previously developed land to meet Wigan's proposed annual housing requirement and it would be unwise for the borough to unnecessarily make it difficult for redundant or under-used employment land and buildings to be brought forward.	Agree - Policy EM1B and the SPD are designed to identify and release redundant land or buildings in industrial or commercial use, but which is no longer needed for such use.

Stakeholder	Stakeholders' comments	Wigan Council's response
<p>Higham & Co, Manchester on behalf of Bluemantle Ltd</p>	<p>Bluemantle own Greenbank Business Park, Hindley Green which is identified as part of a Primary Employment Area under Policy EM1A 15 in the Replacement UDP. Difficulties have been encountered in pursuing a scheme on the vacant land due to:</p> <ul style="list-style-type: none"> • Lack of demand for employment development in this location; • The proximity of residential properties and the constraints this imposes. <p>The site has been marketed for at least 3 years but there has been a lack of interest. Having regard to this Bluemantle make the following comments on the emerging SPD.</p> <p>Accepting that the terms of Policy EM1A are stricter than EM1B, the SPD should be widened to include all employment areas and provide consistent guidance on the re-use of employment land and buildings for non-employment uses.</p> <p>The second part of Policy EM1A identifies where uses other than employment uses will be permitted. It is essential that a flexible approach is taken for land which is not brought forward for development over an extended period due to lack of demand.</p> <p>The SPD could usefully provide additional guidance and direction on Policy EM1A.</p> <p>A flexible approach should be adopted to consider alternative uses where there are environmental and regeneration benefits.</p>	<p>Policy EM1A is not covered by this SPD. Notwithstanding this, the Council is aware that the company is pursuing residential development. The development has been marketed through Wigan Council's Property Database and marketing literature but the Council is confident that if the site was made genuinely available and a reasonable rate, disposal would follow quickly. No change.</p>

Stakeholder	Stakeholders' comments	Wigan Council's response
Higham & Co, Manchester on behalf of Bluemantle Ltd (continued)	Paragraph 4.9 states that a 'lack of market demand will not itself be sufficient justification to demonstrate that the site cannot continue to be available for employment use.' This goes to the heart of viability. If there is not market demand and the premises have been marketed over an extended period without success, this should be adequate reason for considering an alternative use of the site / premises.	Agree - paragraph 4.9 is amended to state: "A lesser financial return on investment relative to other redevelopment or reuse options will not be sufficient to justify the site not continuing to be available for employment use."
	Section 5 regarding environmental legacy or impact is supported. Often environmental issues will arise that render an employment use unsustainable.	Support welcomed.
	Section 7 regarding the regeneration of employment sites is supported.	Support welcomed.