REQUEST 17710

CADDICK APPLICATION - A/24/97381/OUTMAJ

o **"Caddick's application"** means Caddick's application for planning permission to the Council validated on 17 July 2024 with application number A/24/97381/OUTMAJ;
o **"Caddick's planning permission"** means the planning permission granted by the Council on 5 February 2025 upon Caddick's application;
o **"The Caddick site"** means the land with the benefit of Caddick's planning permission identified in the plan specified in Condition 3 of Caddick's planning permission as Location Plan Ref:2387/2000/Rev D;
o **"Glenbrook's planning permission"** means the planning permission granted on an appeal to the Planning Inspectorate with reference code APP/V4250/W/22/3307710 by a decision notice dated 5 May 2023 following the Council's refusal to grant Planning permission upon Glenbrook's application with application number A/21/92036/OUTMAJ;
o **"The Glenbrook site"** means the land with the benefit of Glenbrook's planning permission identified in the plan specified in Condition 2 of Glenbrook's planning permission as Location Plan B9812-AEW-SI-XXDR-A-501 Rev P1.
Request for:-

1. Copies of all correspondence between any employee of the Council and any employee or representative of Caddick relating to a potential road connection between the Caddick site and the Glenbrook site;
2. Copies of all correspondence between any employee of the Council and any employee or representative of Caddick relating to the need for or potential wording of Condition 34 of Caddick's permission or any drafts of that condition or any drafts of any potential condition having substantially the same or similar content or purpose;
3. Copies of all correspondence between any employee of the Council and any employee or representative of Caddick relating to a potential road connection between the Caddick site and Lockett Road (which for the avoidance of doubt is situated nearby to the west of the Caddick site);
4. Copies of all documents, correspondence, records of meetings and any other written material in any way concerning the question whether Caddick's application required environmental impact assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI No. 571);
5. Copies of all correspondence relating to the plan specified in Condition 3 of Caddick's planning permission as Proposed Site Access Plan Ref 3578-F05 Rev B, including for the avoidance of doubt any correspondence, records or other data held as to when this plan was submitted to the Council, when and how this plan was publicised, whether on the Council's planning portal or otherwise, and, if the plan is mentioned in any email, the full email chain in which that email is situated;
6. Copies of all correspondence, agreements or records of meetings between any employee of the Council and any employee or representative of Caddick concerning land owned by the Council situated immediately to the west of the Caddick site;
7. A copy of Counsel's advice or opinion procured and received by the Council concerning Condition 5 of Glenbrook's permission, including for the avoidance of doubt the whole document, and the full instructions and correspondence leading up to this advice.

Response

Please see accompanying information in relation to Q's 1-7 inclusive.

The Council has considered the request for information relating to the disposal of land to the south of Lockett Road as a request made under the Freedom of Information Act 2000 only, as the information is not Environmental Information that would be subject to the EIR Regulations.

The Council confirms that it does hold information relating to this land disposal. However information relating to this (or any other) asset disposal would include details of both parties' negotiating positions and references to wider commercial considerations, as well as the consideration and terms of the agreement ultimately reached. All of these represent commercially sensitive information which, if released into the public domain, would harm both parties' ability to protect their commercial interests in the future. As such

the information is considered exempt from release having regard to Section 43 of the Freedom of Information Act 2000.

In considering this request the Council has applied a Public Interest Test. Whilst we recognise the public interest in transparency and accountability in public spending and decision-making. In this case, we consider that the public interest in maintaining the commercial interests of both the Council and the third party outweighs the interest in disclosure.

Regarding the Council's response to Q7, the advice requested from Counsel is as is documented within the Council's Senior Solicitor's email that forms part of this response. The advice on these matters was given verbally and was used to supplement the decision-making process on the application. Where appropriate and necessary, the advice given to the Council is documented in the Case Officer's report for the application, the latter which is included within the supporting information.

Regulation 13 personal data and Regulation 12(5)(b) a public authority may refuse to disclose information to the extent that its disclosure would adversely affect — the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature (this covers confidentiality of legal advice/legal privilege), have also been engaged.

From: [redacted]
Subject: Ashton Gate - Wigan. Caddick application.
Date: 17 December 2024 11:03:54
Attachments: image001.png
3578 - 16th Dec 2024 minutes.pdf
240520 Meeting with Wigan BC. Pre-App.pdf

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Good morning [redacted]
Thank you for your time yesterday afternoon. I attached a copy of the meeting notes that Phil kindly took down.
I have also attached a copy of the notes from our Pre-App meeting from last May, to jog your memory about the link road and parameters plan discussions (see points 21-26).
I can confirm that there has been no discussion or correspondence with David Proctor prior to or since that Pre-App in respect of the Council's expectations about the location of Glenbrook's' link road or interpretation of Condition 5 of the Glenbrook Appeal decision with myself, Sam Ryan or anyone from Caddick.
Please arrange for your written position on the application conditions to be sent to me along with a copy of the wording we need to be able to have a UU drafted.
I look forward to hearing from David in due course. My telephone number for him to call is below.
Regards

[redacted]
Director
Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday
[redacted]
www.ryanandmay.co.uk
Please note my normal working days are Monday – Thursday.

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Ryan and May

REFERENCE **CADD-01**

DATE **20 May 2024**

Ashton Park Pre-app Meeting LPA

Attending:

- [redacted]

Up-date

1. Following introductions, BM provided an update regarding local engagement*. MJ has been issued with a link to the consultation website.

2. BM shared the parameters plan on screen. Shows the development area and access from Lockett Road and utilities easement that shows access into the remaining part of the allocation. The parameters plan does what we were asked to do in the highways pre-application consultation – i.e. provide access into the wider allocated land.

3. Application package is ready to go, includes a DAS with illustrative elevations; majority is shared on the website.

4. *Limited formal feedback despite wide consultation – 16 forms and 2 emails. Some misunderstanding on the basis that this is the Glenbrook scheme and the site is Green Belt; formal consultation closes on 22nd May likely to be submitted next week. Following up a request from the Leader of the Council regarding a meeting with the Director of Place.

5. TP confirmed that Caddick has secured an option with WBC Estates and access to the site via Lockett Road. Application is phase 1 of current proposal, landowner also owns adjacent land which will be phase 2. Option agreement with WBC is same timescale as that with the landowner for phase 1 land.

6. BM note that in addition to the technical reports, we have also prepared some indicate views – assumes that the Glenbrook scheme is developed, based on the Glenbrook parameter plans. Demonstrates that the height of the proposed building blends in – benefitting from landform.

7. What is happening with Glenbrook – NMA application?

R&M devote a proportion of our profits and time to our Charitable Foundation, which supports urban planning initiatives in rapidly developing countries.

The Planning 4 Change Foundation

Ryan & May Limited is registered in England, No. 12052756. The Planning for Change Foundation is a registered Charity no. 1185266

8. MJ signed off application to enable commencement of junction / highways works ahead of RM submission. No sign of RM submissions yet, but highways works shows a commitment to proceed.

LPA Feedback

9. GJ - please provide a list of documents for MJ to review. Note that WBC has updated its checklist from tomorrow, reflects statutory requirements for BNG as per policy in PfE.

10. SAR confirm that tested against the latest metric and targeting 10% BNG - combination of on and off-site.

11. GJ – okay in principle. Refer to PfE adoption as part of the development. Off-site contributions require land to be registered. Could take 6 – 18 months to set this up if WBC land, as WBC have to set up their own legal body first. Either use land outside of the borough or use national credits. GMEU will assess the metric. Key factor to consider is where the credits will be purchased from?

12. GJ- determinations can be within 13 weeks (If delegated and subject to s106). If >10 objections or councillor call-in then will need to be reported to committee. Councillors have 28 days from registration of application for it to be called-in. Note that [redacted] may call-in, we will get to see his comments and talk to him if he objects / call-in on basis that GB.

13. GJ – even if do call in, the October committee is looking realistic.

14. GJ – MJ will issue correspondence regarding s106, give the applicant the option to prepare the first draft of the agreement. WBC has a template (senior solicitor – [redacted] is the key contact). Start talking to him once application validated.

15. GK – design and amenity are key issues, but from what seen, happy with proposal. Highways and access will always come up. Linkage through to the other site is key, how is this to be secured and up to the red-edge boundary. How does access facilitate the wider development and what is in the TA.

16. MJ – submit the red edge plan, detailed access and parameters plan for approval. BM – yes.

17. BM – following the call, a full list of application documents will be provided. We also have a Screening Opinion – having worked on the basis that EIA is not required.

18. MJ – does red edge abut the Glenbrook site (i.e. no ransom); and what is the likelihood of more than one unit as shown on the illustrative plans.

19. BM – red line will abut Glenbrook, likelihood of one unit.

20. MJ – how will Caddick site link to Glenbrook, by reference to the parameter plans for each site.

21. BM – our parameters plan shows potential link to Glenbrook, but doesn't safeguard land to the south-east corner as per the Glenbrook illustrative masterplan. Open to discussions with Glenbrook. TP – Caddick has looked at this, but levels don't work. DBB – ultimately we can provide an access, subject to levels and proposals will not preclude links in the future.

22. MJ – if did speak to Glenbrook, then may facilitate the process and allay local opposition.

23. BM – application stands and falls on its own merits, as Glenbrook did. The level of objection is irrelevant as accords with the development plan – assuming that we'll be going to committee anyway.

24. GJ – decision-making is officer 'problem'; would prefer that there is an agreement with Glenbrook, in the interests of good-planning, but not essential. May be something to consider at RM stage.

25. DBB – Caddick won't be looking to re-open that discussion at RM stage. This application is not going to deliver an access to the Glenbrook land, no policy requirement. The link road is not off the table, but not necessary.

26. GJ – each development on its own merits is the lowest bar - should, ideally, aim to deliver a comprehensive scheme with link road. Understand DBB logic that application doesn't preclude access to Glenbrook

Highways

27. BM – confirm that the current application is for phase 1 only and the TA is for that site only with access from Lockett Road. TB has not assessed a link road or the implications of wider allocation through the access; that will come as and when later phases come forward. However, physically there is no impediment to the link road being provided.

28. TB confirm that the TA has been prepared in accordance with the agreed scope – same principles as Glenbrook, also refer to what was set out in [redacted] pre-app comments of Feb 2023.

29. TA – also looked at SR response, would also like the traffic surveys/counts to be up-dated to sense check; Glenbrook traffic surveys date back to December 2020 (Covid years).

30. TB – submit the application and provide an up-date following further survey work to establish the baseline.

31. TA - that's okay; this should be set out in an addendum note. What about link road and wider allocation?

32. TB – Glenbrook and DB Symmetry are included as committed developments and traffic growth, updated to December 2023. Link road and wider allocation are not included in the TA.

33. GJ – what will the full part of the application (access road) include? Understand position re impact of the phase 1 development in the TA, but is the link road access capable of being future-proofed.

34. BM – design drawing for the access (shared by DBB); TP – legal obligation to develop this to adoptable standards. TB confirm the dimensions of the road and kerb radii; tracking has been carried out.

35. TA – looks like it has been designed to adoptable standards.

36. TB – framework Travel Plan has been completed.

Drainage

37. BM – plans show SUDS features and use of existing drainage ditch.

38. TP – some improvement works to the drainage, but not the PRoW. BM the PRoW runs parallel to the drainage ditch and a small part is within the red line boundary.

Next Steps

39. R&M issue a schedule of application documents.

40. Submission w/c 27 May.

41. MJ will be the case officer. Have an initial catch-up a few weeks in (including GJ). BM to get a date in the diary.

PROPOSED EMPLOYMENT DEVELOPMENT,
LOCKETT ROAD, ASHTON IN MAKERFIELD
NOTES OF MEETING BETWEEN CADDICK AND WIGAN COUNCIL – DECEMBER 2024

Date – 16th December 2024

Venue – on Teams

Attendees:

- [redacted]

RM started the meeting to GJ following the meeting between Caddick, Ryan & May, Eddisons and Wigan Council on 11th December 2024.

GJ explained that he had spoken to MJ regarding the meeting but not spoken to Steven Riley at Wigan Highways.

GJ did not want to approve the submitted Parameters Plan and felt that approving the red edge and the vehicular access arrangements was sufficient and reiterated MJ's view that a connection to the adjacent Glenbrook site and that it should be provided at the south-eastern corner of the Caddick site, according to Condition 5 of the Glenbrook approval.

RM responded that our interpretation of the condition is that the connection between the Glenbrook and the Caddick site is in the same place as our access and potential link is shown, on our access plan and the parameters plan. This safeguards the potential link between the two sites in the future. The imposition of the link road connection towards the south-eastern corner of the Caddick site would add unnecessary cost to the scheme in the form of new road, loss of floor space and car parking areas.

GJ then said he didn't see why the Parameters Plan should be approved.

RM responded by saying that it should be approved because of its inclusion in the planning application submission and its for the local planning authority (ie Wigan) to say why it shouldn't be. This is also the first time that this had been raised (in the meeting of the 11th December) since the application was submitted in June. Caddick need the clarity for potential occupiers that the Parameters Plan provides.

GJ agreed to discuss this matter with David Proctor and revert back to Caddick this week.

RM then discussed the matter of Condition 5 from the Glenbrook appeal decision and the interpretation of where the link should be.

Red edge plans were shared on screen of both the Caddick and Glenbrook sites.

RM confirmed that the northern/north-western boundary is unequivocally the location where Caddick have shown their access arrangements and the potential link road connection. RM confirmed that Caddick would not concede on this matter given its clarity within the Glenbrook appeal decision.

GJ then confirmed that the condition is something Wigan Council would like but it wouldn't form a reason for refusal of the Caddick planning application as they could not. GJ did say that there were other matters outstanding.

RM asked what these were as he was of the view that nothing else was outstanding and that Caddick require a definitive position from Wigan Council in writing and what, if anything, they would refuse planning permission on.

GJ then raised the matter of BNG and a discussion followed.

GJ was of the view that Wigan Council could not accept a condition (if there was any possibility of 'Significant' BNG being delivered on site) and have had legal advice on this matter.

RM asked to see this and said the position was unreasonable given the current offered condition provides Wigan Council with a commitment for 10% BNG.

RM confirmed that if a Section 106 was required then it would take 3 to 4 months to agree.

GJ said that this could be sped up with the Council writing up that specific clause and a UU would be acceptable.

DBB stated that if Caddick committed to provide all BNG off site then the condition would cover what it needed to.

MJ/GJ agreed, but re-iterated their view that if there was any possibility of BNG being delivered on site that had to be explored and then covered by a s.106 monitoring obligation.

GJ asked RM if Caddick needed a response in writing to confirm the Council's position.

RM said they do.

GJ agreed to speak to David Proctor and that DP would speak to Caddick/RM this week.

GJ/TP agreed that a delegated decision on the application by mid-January would be acceptable in the circumstances.

Meeting ended.

From: [redacted]
Subject: FW: Lockett Road, Ashton-in-Makerfield
Date: 02 November 2021 10:55:01
Attachments: Council Ownership.png
Lockett Road Ashton-in-Makerfield.pdf

[redacted]
In confidence, you may get a call regarding the land between South Lancs industrial estate and Lockett Road, Ashton. See email below.

[redacted]
Principal Planning Officer
Economy and Skills
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 27 October 2021 13:21
To: Proctor, David
Subject: FW: Lockett Road, Ashton-in-Makerfield

David
I received a telephone call from [redacted] (Caddick Group) who is interested in the land south of Meridian 6 (outside Glenbrook Site). He requested I keep the enquiry confidential, and does not wish to engage in a formal pre-application at this stage. The query relates more to land ownership at this time and connectivity to Lockett Road, Ashton in Makerfield.
He believes the current land owner does not wish to do a deal with Glenbrook and is exploring a potential purchase option. [redacted] was discussing alternative access points along Lockett Road to release the site, the one available potentially could be to the north, however I was of the opinion there was some third party ownership issues with the access, or was this related to the land directly to the south of the Council owned land?
I am not sure how you would like this handled, obviously there are separate private matters away from any planning matters. I can forward his details onto [redacted] in Terriers who may be able to assist on Council owned assets in the area, and that is as far as I go.
I just wanted to bring it to your attention given the current pending application.
Regards

[redacted]
Principal Planning Officer
Economy and Skills
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 26 October 2021 16:34
To: [redacted] <[redacted]
Subject: Lockett Road, Ashton-in-Makerfield

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Afternoon [redacted]

As discussed last week I have done some research into the ownership of the area which enters the potential development site we own.

It shows that the area you were concerned about is adopted highway (See highways plan attached).

Are you able to put me in touch with a member of the estates team who can deal with this?

Kind Regards,

[redacted]

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Lockett Road, Ashton-in-Makerfield Wigan

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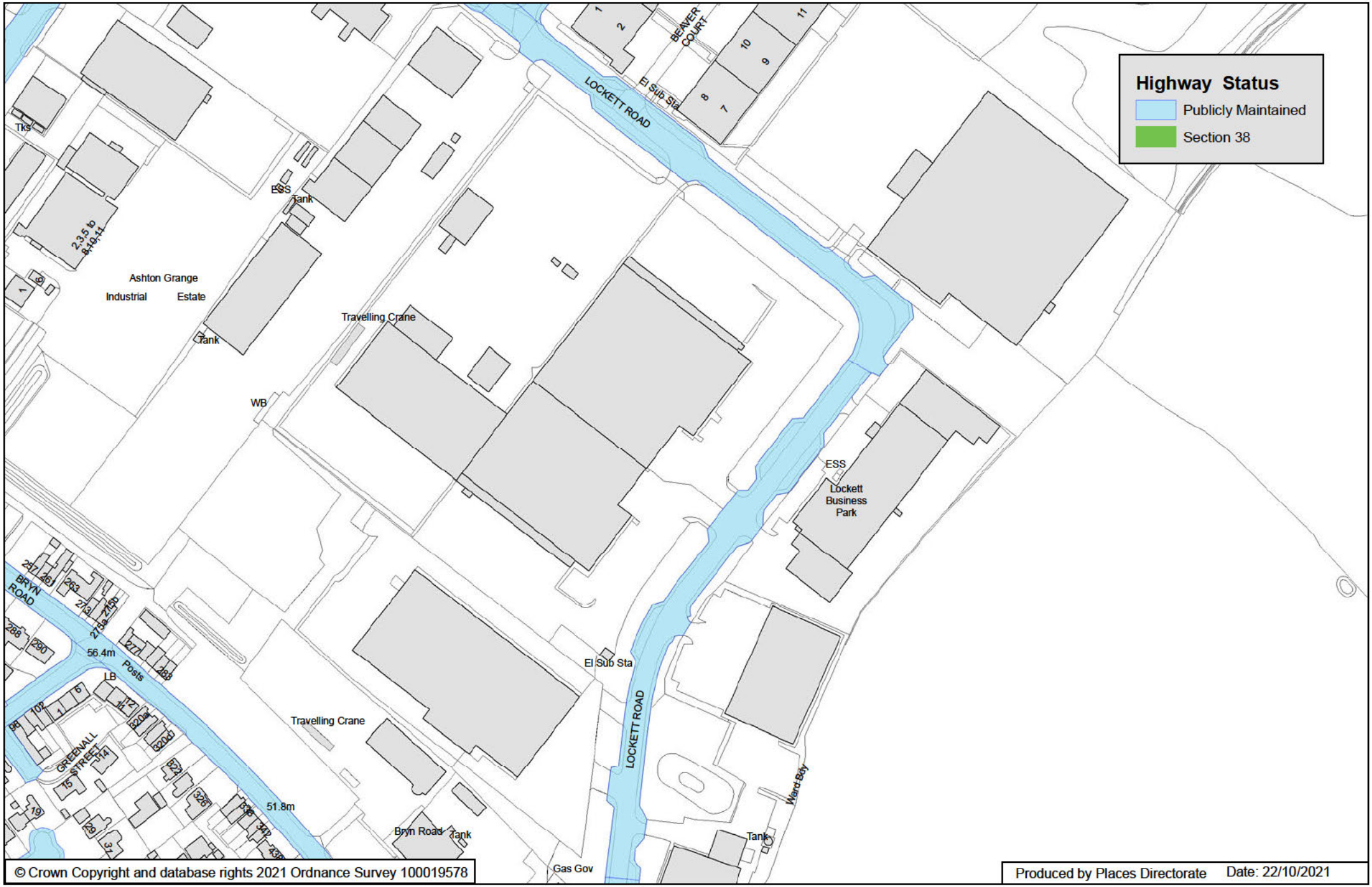

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Produced by Places Directorate Date: 22/10/2021

From: [redacted]
To: [redacted]
Subject: Lockett Road - AIM
Date: 07 April 2022 14:44:32
Attachments: Lockett Road Ashton-in-Makerfield.msg

[redacted]
I believe you have been in discussion with Land & Property regarding access to the PEA via Lockett Road.
In terms of the LPA assessing potential routes a formal pre-application would need to be submitted with supporting documentation.

[redacted]
Principal Planning Officer
Economy and Skills
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
[redacted]
Subject: Lockett Road, Ashton-in-Makerfield
Date: 26 October 2021 16:34:38
Attachments: Council Ownership.png
Lockett Road Ashton-in-Makerfield.pdf

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Afternoon [redacted],

As discussed last week I have done some research into the ownership of the area which enters the potential development site we own.

It shows that the area you were concerned about is adopted highway (See highways plan attached).

Are you able to put me in touch with a member of the estates team who can deal with this?

Kind Regards,

[redacted]
Development Manager
Company registration no: 02460630
tom.park@caddickgroup.co.uk
[redacted].co.uk
[redacted]

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Lockett Road, Ashton-in-Makerfield Wigan

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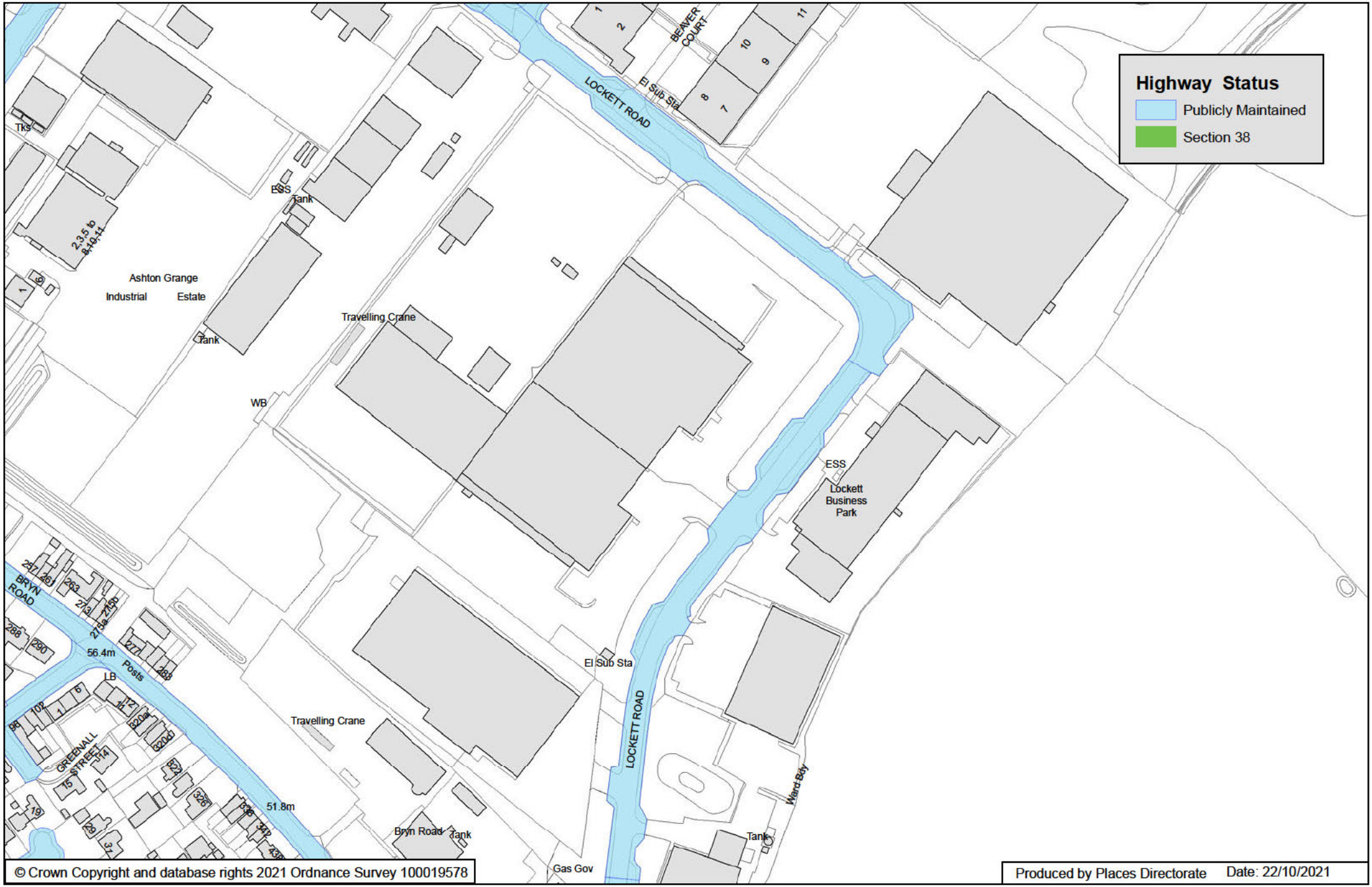

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Produced by Places Directorate Date: 22/10/2021

From: [redacted]
Subject: RE: Ashton-in-Makerfield (Land off Lockett Road), forthcoming planning application by Caddick
Date: 02 May 2024 15:33:36
Attachments: image001.png
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linkedin_logo_f6fd9947-701f-4454-8ea6-d1f539758bd1.png
picture1_jpg_8a26e11f-df73-4bd5-b36a-485a820a978b.jpg
LOCATION PLAN.pdf

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Afternoon [redacted]
Following our conversation please see the application redline plan attached.
As discussed could you let us know your availability for a Teams call early next week please?

DevelopmentsPicture1.png

[redacted]
Associate
Development
Director

[redacted]

Picture1_jpg.jpg

[redacted]

This email is sent on behalf of a group company within Caddick Group Limited (registered number:02065043) whose registered office and postal address is at Castlegarth Grange, Scott Lane, Wetherby, West Yorkshire, LS22 6LH. Further information on the Caddick Group is available at www.caddick.co.uk .
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From: [redacted]
Sent: Wednesday, April 24, 2024 4:37 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Ashton-in-Makerfield (Land off Lockett Road), forthcoming planning application by Caddick
Good afternoon [redacted]
Just re-sending this to bring it to the top of your inbox and in case you thought Gareth was responding.
We are keen to talk through the planning application consultation arrangements. When might that be possible please?
Regards
[redacted]

From: [redacted]
Sent: Tuesday, April 16, 2024 11:05 AM
To: [redacted]) <[redacted]>; [redacted] <[redacted]>
Cc: [redacted]
Subject: Ashton-in-Makerfield (Land off Lockett Road), forthcoming planning application by Caddick
Dear [redacted]
You will recall that we met just over a year ago [redacted] you were in an inquiry so [redacted] covered the meeting for you) to talk about a planning application for further development of the SLIE.
At the time it was recognised that the application, which will includes land owned by the Council, is likely to be contentious with local residents who had already vociferously opposed the Glenbrook proposal. Therefore, it was agreed with your Estates team that an application would not be submitted until after the local elections that year (on 4th May 2023). It was also agreed that it

would not be appropriate for a pre-application consultation with the public to take place before those local elections.
We are almost exactly a year on and now in a position to submit the application, with a final pack of application documentation being provided to the landowner for checking before public consultation takes place next month.
We are proposing to begin consultation after the local Elections on 2nd May and submit at the end of that month.
Would you be available for a short meeting on Teams with Caddick, ourselves and their consultation advisor (Jack Boyces of Devcomms) in the next two weeks?
If that is possible please could you give me a few possible dates/times?
Regards

[redacted]
[redacted]
Director
Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday
[redacted]
www.ryanandmay.co.uk

Please note my normal working days are Monday – Thursday.

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NORTH

Rev	Description	By	Chkd	Date
D	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	JB	JW	
C	RED LINE UPDATED FOLLOWING CLIENT COMMENTS		JW	
A	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	.	JW	

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

LOCATION PLAN

KPP ARCHITECTS

Lodge House
12 Town Street
Horsforth, Leeds LS184RJ

T : +44 (0) 113 2390460
E : architects@kpp-leeds.co.uk
W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
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Status

PLANNING

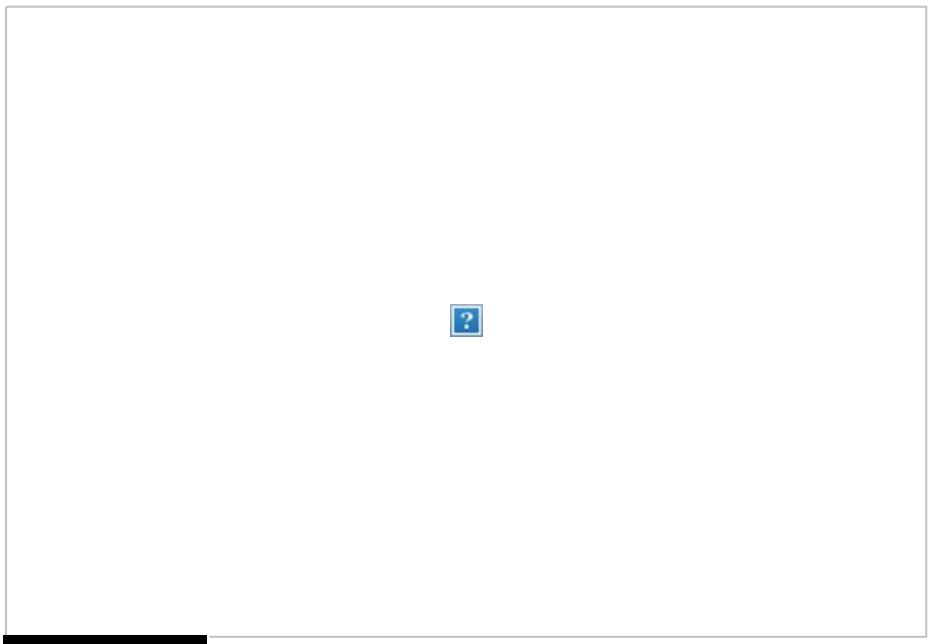
KPP Job No **2387** Rev **D**

Number

2000

0m 25m 50m 75m 100m 125m 150m 175m 200m

From: [redacted]
[redacted]
Subject: RE: Wigan
Date: 15 October 2021 14:08:34
Attachments: image001.png



[redacted]
Principal Planning Officer
Economy and Skills
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
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www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 15 October 2021 13:57
To: [redacted]
Subject: RE: Wigan

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Kind Regards,
[redacted]
Company registration no: 02460630
[redacted]

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From: [redacted]
Sent: 15 October 2021 09:41
To: [redacted]
Subject: Wigan

Morning[redacted]

Further to my voicemail yesterday, I have recently agreed to purchase a parcel of land allocated for employment uses within your borough.

Are you free for a chat on a few questions I have?

Kind Regards,

[redacted]

The information contained within this e-mail is in the opinion of the sender only and does not necessarily represent the opinion or position of the Company. The information contained within this e-mail is for the intended recipient(s) alone. It may contain privileged and confidential information that is exempt from disclosure under English Law and if you are not the intended recipient(s), you must not copy, distribute or take any action in reliance on it. If you have received this e-mail in error, please notify us immediately either by using the reply facility on your e-mail system or by contacting us at info@caddickgroup.co.uk. If this message is being transmitted over the internet, be aware that it may be intercepted by third parties. E-mails are not secure and cannot be guaranteed to be free of errors or viruses. It is your responsibility to scan e-mails and attachments for viruses before opening them.

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From: [redacted]
To: [redacted]
Subject: Ashton Park, Lockett Road, Ashton - 97391
Date: 29 January 2025 10:47:00
Attachments: LPA Draft Conditions 97381 - editing following meeting with LPA MJ Final Conditions.docx
RE Planning Application A2497381OUTMAJ - Ashton Park Lockett Road Ashton..msg

---

[redacted]

I refer to the above planning application and draft conditions.

I have made alterations to the BREEAM condition, in terms of the wording. As this application is outline, I have retained the first sentence in terms of the units to be constructed.

In terms of the Noise Levels, these have not been amended. I have attached correspondence from the EP Officer regarding the workings out of the levels. If these needs to be discussed further please let me know, otherwise I would recommend the levels are retained as originally drafted to assist with the progress of the planning decision.

I will keep both BNG conditions as discussed last night on the phone, and the changes to the wording is acceptable.

If you need to discuss further, I am around today.

Regards

[redacted]
Principal Planning Officer – Development Management
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Draft Conditions – 97381 – Ashton Park (Caddick)

Recommendation

Approve with conditions;

Conditions:

1. (i) Any reserved matters application for approval must be made not later than the expiration of three years beginning with the date of this permission; and

   (ii) The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the reserved matters namely; siting, scale, appearance and landscaping.

Reason: The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby approved shall be carried out in accordance with the details indicated on plan references;

   - Location Plan Ref:2387/2000/Rev D
   - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A
   - Proposed Site Access Plan Ref 3578-F05 Rev B

   - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F

Commented [SR1]: Agreed inclusion of the parameters plan which identifies the maximum limits of built development, maximum heights and safeguards the position of the road link to the NE and SW.

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Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan, Places for Everyone Plan and National Planning Policy Framework.

4. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

   (i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
   (ii) full details of the finished floor levels of all buildings and hard surfaces.

Reason: To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

5. Any reserved matters application in respect of scale and siting of built development (including areas for parking, servicing and other areas of hard-standing) shall be limited to those heights and the area identified in yellow on plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F.

Reason: The planning application is for outline consent with access only. For the avoidance of doubt and to ensure the development assimilates into the wider area, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

Reason: For the purpose to design out crime during the initial design stages of the development, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

7. Any reserved matters application submitted in respect of layout or landscaping shall include a physical means of providing a direct pedestrian and cyclist connection between the development and the Public Right of Way (PROW) identified as Wigan 032. The design shall be led by a sustainable approach to securing permeable access from the PROW, taking into account site levels, supported by a detailed site plan and cross sections along regular intervals. The approved scheme shall be implemented in full accordance with the agreed details, and made available for full operational use prior to any development coming into first use. Once installed, the access provision shall be retained and maintained thereafter.

Reason: To ensure sufficient information is submitted with the reserved matters application having regard to permeable pedestrian and cycle connectivity from the Public Right of Way (PROW) to the development site, in accordance with Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

8. Any reserved matters application submitted in respect of layout shall be accompanied by a site-specific connectivity plan, the details of which shall include:

    - Detailed plans to scale, showing highway, pedestrian and cycle connectivity up to and including the application site south-west boundary as shown on plan reference - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F
    - Existing and proposed levels.

Reason: To provide permeable connectivity across the development site and sustainable connections with the wider designated Primary Employment Area land allocation, as defined within saved Wigan Unitary Development Plan Policy EM1A, with the aim of encouraging sustainable travel routes for all road users, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JP-C7, the Access

for All Supplementary Planning Document and the National Planning Policy Framework.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with any associated unit on the site. The facilities shall be installed prior to the development coming into first use and maintained as approved thereafter.

Reason: To secure adequate facilities in relation to the proposed development and to promote the sustainable modes of travel, whilst providing adequate security measures, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

10. Any reserved matters application in respect of layout shall include details of parking for Heavy Goods Vehicles and private vehicles, including cars and motorcycles associated with each specific unit on the site. This shall be accompanied by detailed swept paths analysis for Heavy Goods Vehicles across any site layout plan. Once approved, the provision shall be implemented in full accordance with the agreed details and shall be maintained as approved thereafter.

Reason: To provide adequate information to assess the impact of the development on internal access roads within the application site, and to ensure sufficient parking provision is provided, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1 and JP-C7, Replacement Wigan Unitary Development Plan Policy A1S and the National Planning Policy Framework.

11. Notwithstanding the approved parameters plan ref: Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F any reserved matters application submission in respect of landscaping shall include the provision of native tree planting and avoid the overuse of Birch and Sallow. The details of which shall be provided within a full landscape scheme for the development, or the relevant phase of the development,

together with an implementation and management plan to also factor in on-site biodiversity gains.

Reason: To provide adequate mitigation and to enhance the setting of the development, having regard to Places for Everyone Joint Development Plan Policies JP-G6 and JP-G7 and the National Planning Policy Framework.

12. Any reserved matter application submission in respect of layout, shall be accompanied by updated drainage information which sets out the protection of existing water features such as ditches across the application site. The approved measures shall be implemented in full accordance with the agreed details only during the construction phase and operational phase of the development.

Reason: To protect existing environmental features across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

13. Any reserved matters application submission in respect of layout and landscaping, shall be accompanied by an updated Badger and Bird Survey, in the event the submission is made more than 2 years after the dates of the original surveys accompanying the outline application, together with any necessary mitigation and reasonable avoidance measures.

Reason: The information is required for the assessment of layout under a reserved matters submission, to protect protective species across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

14. All new buildings approved as part of any reserved matters application shall be constructed to achieve a rating of Building Research Establishment Environmental Assessment Method (BREEAM) 2014 'Excellent',

Within 18 months of the occupation of each unit, or within alternative timescales to be previously agreed in writing with the Local Planning Authority, the relevant certification demonstrating that BREEAM

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'Excellent' has been achieved for the relevant unit shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the development is low carbon based, in accordance with Wigan Local Plan Core Strategy Policy CP10, Places for Everyone Joint Development Plan Policy JP-S2 and the National Planning Policy Framework.

~~14.~~ 15. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;
- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;
- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;
- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;
- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and
- A list of contact details during development.

The development shall be fully undertaken in full accordance with the approved AMS at all times thereafter.

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Reason: The works are fundamental to site preparation, to safeguard the health of existing trees on the site and biodiversity, having regard to Policies JP-G1, JP-G2 and JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~15.~~ 16. Prior to the commencement of development, details of a sustainable surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include;

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: The details are fundamental to the drainage strategy for the development, having regard to flood risk, pollution and management in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~16.~~17. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use

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Commented [SR2]: This is covered in the following condition

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until the unit has been connected to the completed approved foul drainage scheme.

Reason: The detail is required as it is fundamental to the drainage strategy for the development, in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~17.~~18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev B), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

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Reason: The details are necessary since they are fundamental to the site preparation works and form of the development and to ensure that any contamination is investigated and treated during the carrying out of the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

~~18.~~19. No development shall take place, with the exception of site clearance, until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

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-Measures to ensure the owner and contractors work directly with local employment and training agencies;
-Targets for employing local labour;
-Targets for work experience opportunities;
-Measures to provide training opportunities in respect of any new jobs created; and
-Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~19.~~20. Prior to the commencement of development, relevant to each reserved matters phase, a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~20.~~21. Prior to the commencement of any development hereby approved, save enabling and ground investigation works, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2") and vibration impacts. The approved scheme shall be

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implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works.

Reason: The details are fundamental to site preparation works in order to protect the surrounding environment from potential harm, having regard to noise, dust and vibration, vehicle movements and general activity which may cause harm to the environment, in accordance with the requirements of Policy CP17 of Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

~~21.~~22. No removal of or works to any hedgerows, trees or shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been provided and agreed in writing by the Local Planning Authority.

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Reason: To protect the ecological value of the site, particular nesting birds, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~22.~~23. With the exception of enabling works, including ground investigation works, prior to the commencement of development, including earthworks or the clearance of vegetation, an updated Ecological Construction Environmental Management Plan (ECEMP) associated with workings on the site, in related to mammals and amphibians shall be submitted to and approved in writing. The ECEMP shall set out necessary mitigation measures for the protection of mammals and amphibians, together with the timing, implementation and management of such measures. The agreed document shall be implemented in full accordance with the agreed details only.

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Reason: The details are fundamental to site preparation works to protect natural wildlife across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

~~23.~~24. Prior to the commencement of any earthworks taking place across the development site, a survey for invasive plant species including Japanese knotweed shall be carried out across the site, and the findings submitted to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures shall also be supplied to and agreed in writing by the Local Planning Authority. The method statement shall be implemented in full accordance with the agreed measures only.

Reason: The information is fundamental to the development, to remove potential contamination across the site and prevent the spread of any invasive species in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and the objectives of the National Planning Policy Framework.

~~24.~~25. Prior to the commencement of development, including tree felling and earth movement, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS shall be accompanied by an updated Bat Survey, together with reasonable avoidance and mitigation measures, where necessary, and should be included as an ecological input to inform contractors, having regard to ECEMP pursuant to condition 22. The PWMS shall be implemented in full accordance with the agreed details only, throughout the duration of the construction works, up until completion of the development.

Reason: The information is fundamental to the development, to protect protective species across the development site, which have been identified in the supporting planning documents, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

~~25.~~26. With the exception of enabling works, including ground investigation works, ~~P~~prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. ~~If offsetting is proposed, a~~ The scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, ~~with 10% net gain in biodiversity to be achieved~~ against ~~in relation to~~ the on-site base habitat position that existed prior to the commencement of any works on site including ground investigation and enabling works. ~~prior to the commencement of development,~~

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~~including enabling works, and ground investigation works,~~ and shall include:

- Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
- The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
- The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
- A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:

(a) Description of all habitats to be created/enhanced with the scheme including expected management condition and total area
(b) Review of the ecological constraints;
(c) Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
(d) Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
(e) Identification of the persons responsible for implementing the works;
(f) A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
(g) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.

- All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.
- The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

~~26.~~27. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

Commented [SR3]: As agreed at our recent meeting - ground investigation and enabling works can be carried out ahead of this. Such wording has been added at the front end of the condition.

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Commented [MJ4]: Is this necessary, silent condition would address this requirements. BNG plan is required to be discharged in full prior to commencement of works across the site.

Commented [MJ5R4]: But happy for it to be retained.

Commented [SR6R4]: Okay to delete the condition and for this to be added as an informative

Commented [MJ7R4]: To be retained.

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~27.~~28. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	38dBA
Night time	Monday to Sunday	23:00 to 07:00	30dBA

Extended Garden/Allotments (Bolton Road and Bryn Road) Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A). Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~28.~~29. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the

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Commented [MJ8]: Why have levels been changed. This is required as per the consultation with the EP Officers.

Commented [MJ9R8]: Can you point out where in the Noise Assessment these figures are?

Commented [SR10R8]: Table 5 on page 9 of the Acoustic Assessment Report

Commented [MJ11R8]: Noise Levels to be retained, see email from EP Officer.

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need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Reason: To promote sustainable modes of transport, optimising travel arrangements to and from the development site, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

~~29.~~30. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle (EV) Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The EV charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

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Reason: To enhance air quality and provide alternative methods of power to promote sustainable modes of transport, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

~~30.~~31. Prior to first use of any development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. Once, approved, the NMP shall be adopted by all end users to ensure compliance with noise levels as set out in condition 27.

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Reason: To ensure the noise limits as set out in condition 21 are achieved to protect the amenity of the surrounding area, having regard to Policy CP17

of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~31.~~32. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odors (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

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~~32.~~33. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

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~~33.~~34. No development hereby approved shall be brought into first use, until the vehicle access provision from Lockett Road, into the application site as shown on plan reference - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A and Proposed Site Access Plan Ref 3578-F05 Rev B up to and including the application site's north east boundary has been implemented in full.

Reason: For the avoidance of doubt, and to ensure safe and convenient access is provided into the application site from Lockett Road, safeguarding a connection to the wider Primary Employment Area land allocation, having regard to Policy CP7 of the Wigan Local Plan Core

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Commented [SR12]: As per para 98 of the Inspector's decision letter re Glenbrook

Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JPC7 and the National Planning Policy Framework

~~34.~~ 35.

Prior to the commencement of any development hereby approved, save enabling and ground investigation works, an implementation plan and timetable for the delivery of the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction shall be submitted to and approved in writing by the Local Planning Authority. The highway works detailed shall be completed in full, and in full accordance with the approved implementation plan timetable.

Reason: To provide necessary road junction improvements, having regard to the flow of traffic movements in the area of the development, in accordance with Local Plan Core Strategy Policy CP7, Places for Everyone Joint Development Plan Policies JP-C1 and JP-C7 and the National Planning Policy Framework.

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From: [redacted]
[redacted]
Subject: RE: Planning Application A/24/97381/OUTMAJ - Ashton Park, Lockett Road, Ashton.
Date: 29 January 2025 08:12:28

Hi [redacted]

Thank you for your email.

I can confirm that this was not an error in typing.

The decision process for the operational noise recommendation for daytime and night time was based on the following:

1.The predicted Rating Level is 36dBA for daytime and 29dBA for night time (Table 24).

2.The cumulative Rating Level from all building services plant and equipment fixed plant recommended has been agreed at 33dBA daytime and 25dBA at night time (Table 26).

3.By adding the predicted Rating Level for operational noise to the fixed plant noise limits we get 36+33=37.76 (**38**) dBA for daytime and 29+25=30.46 (**30**) dBA. This then is achieving a criteria of LA90,T (Representative) +0dBA. as the background sound levels are 38dBA for daytime and 30dBA for night time.

4.BS4142:2014+A1:2019 in s11 states “d) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context”.

5.We normally recommend a criteria for Rating Levels based on:

Daytime	07:00 to 23:00	$L_{A90,T}$ (Representative) +0dB dB(A)
Night time	23:00 to 07:00	$L_{A90,T}$ (Representative) -5dB dB(A)

If we were to accept 38 and 30 for the operational noise then when added to the fixed plant noise limits this becomes 38+33=39.19 (**39**) dBA daytime and 30+25=31.19 (**31**) dBA night time.

I would still recommend keeping to the Rating Levels stated in our consultation response of 36dBA and 29dBA for the operational noise.

I had discussed the final consultation response and this approach with Steve prior to sending to you.

Thanks [redacted]

[redacted]
[redacted]
Environmental Protection
Wigan Council
Wigan Life Centre(South site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
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www.facebook.com/WiganCouncilOnline

From: [redacted] <[redacted]>
Sent: 28 January 2025 10:52
To: [redacted] [redacted]>
Subject: Planning Application A/24/97381/OUTMAJ - Ashton Park, Lockett Road, Ashton.

Hi [redacted]

Can I quickly request a review of noise levels suggested via the noise levels condition in the consultation response for the above application please?

I provided draft conditions to the agent, but they have come back with an amendment to the noise levels, for ease these are highlighted below. Your consultation response is attached, requiring a slight reduction. Can I ask if this was an error in the typing? Your consultation response states 36dBA and 29dBA. We are looking to approve the scheme this week, and therefore would you be able to provide a response to me today please. Happy to pick up at the end of the Junction 25 Meeting.

1. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

[redacted]

Daytime	Monday to Sunday	07:00 to 23:00	38dBA
Night time	Monday to Sunday	23:00 to 07:00	30dBA

Extended Garden/Allotments (Bolton Road and Bryn Road)
Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A).
Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
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www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

>>><

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: Draft Planning Conditions Ashton Park - Clean Copy
Date: 29 January 2025 14:28:00
Attachments: Draft Conditions Final Clean Version 29.01.2025.docx

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[redacted]

Please find enclosed a clean copy of the draft conditions for the Ashton Park Planning Application.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
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[redacted]uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

Draft Conditions Final – Clean Version

1. (i) Any reserved matters application for approval must be made not later than the expiration of three years beginning with the date of this permission; and

   (ii) The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the reserved matters namely; siting, scale, appearance and landscaping.

Reason: The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby approved shall be carried out in accordance with the details indicated on plan references;

   - Location Plan Ref:2387/2000/Rev D
   - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A
   - Proposed Site Access Plan Ref 3578-F05 Rev B
   - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan, Places for Everyone Plan and National Planning Policy Framework.

4. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

   (i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
   (ii) full details of the finished floor levels of all buildings and hard surfaces.

Reason: To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

5. Any reserved matters application in respect of scale and siting of built development (including areas for parking, servicing and other areas of hard-standing) shall be limited to those heights and the area identified in yellow on plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F.

Reason: The planning application is for outline consent with access only. For the avoidance of doubt and to ensure the development assimilates into the wider area, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

Reason: For the purpose to design out crime during the initial design stages of the development, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

7. Any reserved matters application submitted in respect of layout or landscaping shall include a physical means of providing a direct pedestrian and cyclist connection between the development and the Public Right of Way (PROW) identified as Wigan 032. The design shall be led by a sustainable approach to securing permeable access from the PROW, taking into account site levels, supported by a detailed site

plan and cross sections along regular intervals. The approved scheme shall be implemented in full accordance with the agreed details, and made available for full operational use prior to any development coming into first use. Once installed, the access provision shall be retained and maintained thereafter.

Reason: To ensure sufficient information is submitted with the reserved matters application having regard to permeable pedestrian and cycle connectivity from the Public Right of Way (PROW) to the development site, in accordance with Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

8. Any reserved matters application submitted in respect of layout shall be accompanied by a site-specific connectivity plan, the details of which shall include:

    - Detailed plans to scale, showing highway, pedestrian and cycle connectivity up to and including the application site south-west boundary as shown on plan reference - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F
    - Existing and proposed levels.

Reason: To provide permeable connectivity across the development site and sustainable connections with the wider designated Primary Employment Area land allocation, as defined within saved Wigan Unitary Development Plan Policy EM1A, with the aim of encouraging sustainable travel routes for all road users, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with any associated unit on the site. The facilities shall be installed prior to the development coming into first use and maintained as approved thereafter.

Reason: To secure adequate facilities in relation to the proposed development and to promote the sustainable modes of travel, whilst providing adequate security measures, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All

Supplementary Planning Document and the National Planning Policy Framework.

10. Any reserved matters application in respect of layout shall include details of parking for Heavy Goods Vehicles and private vehicles, including cars and motorcycles associated with each specific unit on the site. This shall be accompanied by detailed swept paths analysis for Heavy Goods Vehicles across any site layout plan. Once approved, the provision shall be implemented in full accordance with the agreed details and shall be maintained as approved thereafter.

Reason: To provide adequate information to assess the impact of the development on internal access roads within the application site, and to ensure sufficient parking provision is provided, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1 and JP-C7, Replacement Wigan Unitary Development Plan Policy A1S and the National Planning Policy Framework.

11. Notwithstanding the approved parameters plan ref: Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F any reserved matters application submission in respect of landscaping shall include the provision of native tree planting and avoid the overuse of Birch and Sallow. The details of which shall be provided within a full landscape scheme for the development, or the relevant phase of the development, together with an implementation and management plan to also factor in on-site biodiversity gains.

Reason: To provide adequate mitigation and to enhance the setting of the development, having regard to Places for Everyone Joint Development Plan Policies JP-G6 and JP-G7 and the National Planning Policy Framework.

12. Any reserved matter application submission in respect of layout, shall be accompanied by updated drainage information which sets out the protection of existing water features such as ditches across the application site. The approved measures shall be implemented in full accordance with the agreed details only during the construction phase and operational phase of the development.

Reason: To protect existing environmental features across the development site, having regard to Policy JP-G8 of the Places for Everyone

Joint Development Plan and Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

13. Any reserved matters application submission in respect of layout and landscaping, shall be accompanied by an updated Badger and Bird Survey, in the event the submission is made more than 2 years after the dates of the original surveys accompanying the outline application, together with any necessary mitigation and reasonable avoidance measures.

Reason: The information is required for the assessment of layout under a reserved matters submission, to protect protective species across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

14. All new buildings approved as part of any reserved matters application shall be constructed to achieve a rating of Building Research Establishment Environmental Assessment Method (BREEAM) 2014 'Excellent'.

Within 18 months of the occupation of each unit, or within alternative timescales to be previously agreed in writing with the Local Planning Authority, the relevant certification demonstrating that BREEAM 'Excellent' has been achieved for the relevant unit shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the development is low carbon based, in accordance with Wigan Local Plan Core Strategy Policy CP10, Places for Everyone Joint Development Plan Policy JP-S2 and the National Planning Policy Framework.

15. With the exception of enabling works, including ground investigation works, prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;

- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;

- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;

- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and

- A list of contact details during development.

  The development shall be fully undertaken in full accordance with the approved AMS at all times thereafter.

Reason: The works are fundamental to site preparation, to safeguard the health of existing trees on the site and biodiversity, having regard to Policies JP-G1, JP-G2 and JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16. With the exception of enabling works, including ground investigation works, prior to the commencement of development, details of a sustainable surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: The details are fundamental to the drainage strategy for the development, having regard to flood risk, pollution and management in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

17. With the exception of enabling works, including ground investigation works, prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

Reason: The detail is required as it is fundamental to the drainage strategy for the development, in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev B), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be

submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

Reason: The details are necessary since they are fundamental to the site preparation works and form of the development and to ensure that any contamination is investigated and treated during the carrying out of the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

19. No development shall take place, with the exception of site clearance, until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

    -Measures to ensure the owner and contractors work directly with local employment and training agencies;
    -Targets for employing local labour;
    -Targets for work experience opportunities;
    -Measures to provide training opportunities in respect of any new jobs created; and
    -Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

    The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

20. Prior to the commencement of development, relevant to each reserved matters phase, a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

    - Measures to ensure the owner and contractors work directly with local employment and training agencies;
    - Targets for employing local labour;

- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

21. Prior to the commencement of any development hereby approved, save enabling and ground investigation works, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2") and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works.

Reason: The details are fundamental to site preparation works in order to protect the surrounding environment from potential harm, having regard to noise, dust and vibration, vehicle movements and general activity which may cause harm to the environment, in accordance with the requirements of Policy CP17 of Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

22. No removal of or works to any hedgerows, trees or shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to

protect nesting bird interest on site has been provided and agreed in writing by the Local Planning Authority.

Reason: To protect the ecological value of the site, particular nesting birds, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

23. With the exception of enabling works, including ground investigation works, prior to the commencement of development, including earthworks or the clearance of vegetation, an updated Ecological Construction Environmental Management Plan (ECEMP) associated with workings on the site, in related to mammals and amphibians shall be submitted to and approved in writing. The ECEMP shall set out necessary mitigation measures for the protection of mammals and amphibians, together with the timing, implementation and management of such measures. The agreed document shall be implemented in full accordance with the agreed details only.

Reason: The details are fundamental to site preparation works to protect natural wildlife across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

24. Prior to the commencement of any earthworks taking place across the development site, a survey for invasive plant species including Japanese knotweed shall be carried out across the site, and the findings submitted to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures shall also be supplied to and agreed in writing by the Local Planning Authority. The method statement shall be implemented in full accordance with the agreed measures only.

Reason: The information is fundamental to the development, to remove potential contamination across the site and prevent the spread of any invasive species in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and the objectives of the National Planning Policy Framework.

25. Prior to the commencement of development, including tree felling and earth movement, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and

approved in writing by the Local Planning Authority. The PWMS shall be accompanied by an updated Bat Survey, together with reasonable avoidance and mitigation measures, where necessary, and should be included as an ecological input to inform contractors, having regard to ECEMP pursuant to condition 22. The PWMS shall be implemented in full accordance with the agreed details only, throughout the duration of the construction works, up until completion of the development.

Reason: The information is fundamental to the development, to protect protective species across the development site, which have been identified in the supporting planning documents, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

26. With the exception of enabling works, including ground investigation works, prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, against the on-site base habitat position that existed prior to the commencement of any works on site including ground investigation and enabling works and shall include:
    - Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
    - The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
    - The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
    - A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:
    (a) Description of all habitats to be created/enhanced with the scheme including expected management condition and total area
    (b) Review of the ecological constraints;
    (c) Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
    (d) Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
    (e) Identification of the persons responsible for implementing the works;
    (f) A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.

(g) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.

• All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.

• The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

27. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

28. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	38dBA
Night time	Monday to Sunday	23:00 to 07:00	30dBA

Extended Garden/Allotments (Bolton Road and Bryn Road)
Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A).
Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

29. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Reason: To promote sustainable modes of transport, optimising travel arrangements to and from the development site, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

30. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle (EV)

Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The EV charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

Reason: To enhance air quality and provide alternative methods of power to promote sustainable modes of transport, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

31. Prior to first use of any development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. Once, approved, the NMP shall be adopted by all end users to ensure compliance with noise levels as set out in condition 28.

Reason: To ensure the noise limits as set out in condition 21 are achieved to protect the amenity of the surrounding area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

32. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odors (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan

Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

33. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

34. No development hereby approved shall be brought into first use, until the vehicle access provision from Lockett Road, into the application site as shown on plan reference - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A and Proposed Site Access Plan Ref 3578-F05 Rev B up to and including the application site's north-east boundary has been implemented in full.

Reason: For the avoidance of doubt, and to ensure safe and convenient access is provided into the application site from Lockett Road, safeguarding a connection to the wider Primary Employment Area land allocation, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JPC7 and the National Planning Policy Framework

35. Prior to the commencement of any development hereby approved, save enabling and ground investigation works, an implementation plan and timetable for the delivery of the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction shall be submitted to and approved in writing by the Local Planning Authority. The highway works detailed shall be completed in full, and in full accordance with the approved implementation plan timetable.

Reason: To provide necessary road junction improvements, having regard to the flow of traffic movements in the area of the development, in accordance with Local Plan Core Strategy Policy CP7, Places for Everyone

Joint Development Plan Policies JP-C1 and JP-C7 and the National Planning Policy Framework.

From: [redacted]
Subject: FW: Ashton Park - application ref: A/24/97381/OUTMAJ
Date: 10 December 2024 08:20:02
Attachments: image001.png
241128 Draft Conditions.docx

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Hi [redacted]

Email containing draft conditions re-sent as requested.

Regards

[redacted]

From: [redacted]
Sent: 02 December 2024 15:16
To: [redacted]>
Cc: [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ

Hi [redacted]

I have just called and left a voicemail – I suspect that you may still be unwell and, if that is the case, wish you a speedy recovery.

In order to assist in moving matters forward, we have prepared a draft set of planning conditions for your consideration. It would be helpful if we could also discuss those when we speak.

I look forward to hearing from you as soon as possible.

Kind regards

[redacted]

From: [redacted]
Sent: 27 November 2024 12:44
To: [redacted]>
Cc: [redacted]

[redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ

Hi [redacted]

I'm checking to see whether you're in a position to respond to the email that I sent last week – see below?

I have also left voicemails and would be grateful if you could get back to me as soon as possible.

Kind regards

[redacted]

[redacted]
Sent: 20 November 2024 11:48
To: [redacted]
Cc: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ

Hi [redacted]

Further to our recent telephone call I am writing to update our understanding of matters relating to the recent consultation responses:

Highways

Phil Wooliscroft of Eddisons has spoken to [redacted] and, by reference to the latest consultation response from highways has agreed the following:

Matters that can be conditioned:

- The number of car parking spaces to be provided as part of the RM submission
- Improvements (SCOOT) to the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction
- Provision of a pedestrian access gate at the south-western corner of the site to the existing PRoW to Woods Lane

Link Road:

- The highways impact of the proposed development is agreed – impacts are not

'severe' and do not give rise to a reason for refusal

- The 'link road' is not necessary to make the development acceptable in highways terms
- The applicant is willing to safeguard the line of a future road that would provide a link to the adjacent development and to the phase 2 land to the west (this is shown on the illustrative masterplan); and ensure that there is pedestrian / cycle access between the developments.
- Highways officers would prefer to see a condition imposed that would require any reserved matters application submitted in respect of layout to be accompanied by a connectivity and implementation plan, including details of a connection between the development site and the remaining Primary Employment Area Land allocation. It is Eddison's view that this is not justified on highways grounds.

I attach a copy of the Technical Note prepared by Eddisons confirming their discussions with the highways officer.

As you and I discussed, it is clear that the only area of disagreement now existing between Eddisons and the highway authority is whether it is necessary to impose a condition relating to the link road (as per the final bullet point above). In addition to Eddison's technical reasons as summarised above, I reiterated that there is no planning justification for the provision of a link road – it is not required by any policies or development briefs that have been adopted by the council; our parameters plan (for which we seek approval) does not preclude a future link road coming forward and shows where a connection is possible. Notwithstanding, our position is that a condition is unnecessary, and the link road issue alone is not sufficient in the planning balance to refuse the application.

EHO Comments

The EHOs have provided comments on matters relating to noise and air quality. In each case, they do not raise any objections to the proposals subject to the imposition of various conditions. Our technical team has reviewed those suggested conditions and comment as follows:

Noise

CONG5—The limits proposed for both operational noise and fixed plant are the calculated impact rather than the proposed limit. This means the condition is more onerous than is necessary to protect amenity and the lower limits suggested by the EHO are unreasonable. A limit compared to the background noise levels referenced in the submitted Noise Assessment Report is more appropriate. The proposed amendments to the condition (reflecting the submitted Noise Report) are set out below:

> *Operational noise*
> *The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.*

- *Daytime Monday to Sunday 07:00 to 23:00 36dBA 38dB(A)*
- *Night time Monday to Sunday 23:00 to 07:00 29dBA 30 dB(A)*

Air Quality

Some of the suggested draft conditions are unnecessary given that this information has already been included as part of the application submission. Further, the suggested wording appears to be 'standard' and does not necessary reflect the application submission. See detailed comments below:

- In the suggested wording for Condition CONG1 (CEMP), under issue 'emissions to air', the wording suggests *"The scheme shall include details for the methods to be employed to control and monitor [...] dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2"*. The submitted AQA already provides this information and so this part of the condition is clearly unnecessary. Once the final CEMP is prepared, the stated measures could simply be represented as part of the eventual CEMP to be submitted. Alternatively, it may be more appropriate to amend the wording to state: *"dust mitigation measures as identified within SLR report reference: 402.065112.00001 rev 4.0 dated 28/03/2024 shall be implemented throughout the duration of the construction phase unless otherwise agreed in writing"*.

- Again, under the issue 'air quality', there's a recommended but un-named/numbered condition for which wording starts with reading *"In accordance with the Council's Development and Air Quality SPD (2021) [...]"* we would suggest that the front end of that condition is amended for consistency with the submitted AQA report as follows:

  > *In accordance with the Council's Development and Air Quality SPD (2021), no development shall be commenced until detail on the electric vehicle charging infrastructure is submitted to and approved in writing by the local planning authority. The scheme shall include the following measures:*

- There is no wording / detail provided under the CONG9 (Extraction of fumes and odours) or CONG11 (Extraction of dust) headings. It is unclear whether the EHO is seeking for such conditions to be included given that there are no source of fume / odours / dust on the site where any such conditions would typically relate. We would be grateful if you could clarify and, if necessary provide copies of CONG9 and CONG11 for our consideration.

BNG

We have given careful consideration to the points you have raised relating to BNG and, in particular, the challenges you perceive in imposing suitably worded planning conditions

that ensure the BNG hierarchy is addressed at the RM stage and adequate provision is made for monitoring of any BNG that is provided within the application site.

In order to assist, TEP have produced a Technical Note to the BNG Report which confirms that:

- The approach adopted by TEP in preparing the BNG report follows an appropriate methodology that reflects the hierarchical approach
- GMEU are satisfied with that approach, and have confirmed that the final BNG assessment will be addressed at RM stage
- Appropriate planning conditions can be imposed to ensure that the BNG assessment at RM stage also follows the hierarchical approach to mitigation that:
    - Maximises on-site provision in the first instance;
    - Before considering other land within the applicant's ownership;
    - And then the purchase of off-site credits
- Wigan BC has recently approved an outline application (all matters except access reserved for future condition) with a range of conditions to secure 10% BNG in accordance with that approach – this includes a requirement for a 30-year management and monitoring plan. A copy of that decision notice is attached to TEP's Technical Note, which also includes a recommendation regarding an amendment to one of those conditions.

Subject to TEP's recommended amendments, the conditions that the Council has recently applied to other developments in the borough to secure BNG can clearly also be applied to this outline application.

I trust that the above is useful in summarising the current position and that you are now able to provide a draft list of conditions for our consideration and agreement – I note you indicated that you will require 5-working days to complete and so I look forward to receiving that list w/c 25th November. In the meantime, if you have any queries or wish to discuss further then please don't hesitate to contact me.

Kind regards

[redacted]

[redacted]
Director

[redacted]

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]

www.ryanandmay.co.uk

Please consider the environment before printing this email

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Ashton Gate - Draft Conditions

Government guidance (NPPG Paragraph: 024 Reference ID: 21a-024-20140306) recommends that conditions are ordered as follows:

1. the standard time limit condition for commencement of development
2. the details and drawings subject to which the planning permission is granted
3. any pre-commencement conditions
4. any pre-occupancy or other stage conditions
5. any conditions relating to post occupancy monitoring and management.

The proposed conditions below follow that sequence, together with a category for conditions that relate to the detail to be submitted at Reserved Matters stage.

All conditions have been considered against the 6 tests for conditions (NPPF Para 55): necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

Standard time limit condition for commencement of development

1. Applications for all reserved matters shall be submitted to the Local Planning Authority within 3 years of the date of this planning permission. The development hereby approved shall commence within 2 years of the last reserved matters approval.

Details and drawings subject to which the planning permission is granted

2. The development hereby approved shall be carried out in accordance with the details contained on the following plans and documents:

- Location Plan Ref: 2387/2000/Rev D
- Site Access - Priority Junction Drawing Ref: 2578-F05/Rev A
- Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F
- Constraints Plan Ref 2387/2006/ Rev D
- Travel Plan Framework – Ref: 3578 dated March 2024
- Framework Energy and Sustainability Requirements and Strategy Ref: 32542-ELDS. Dated April 2024
- Framework Construction Environmental Management Plan Ref: Rev 01. Dated 9 February 2024
- Outline Ecology Construction Environmental Management Plan Ref: 9688.02.003 Version 3.0
- Operational Noise Management Plan by Apex Acoustics, dated 26 January 2024

Conditions requiring submission of specific details as part of Reserved Matters

3. Any reserved matters application submitted in respect of layout shall fully accord with the approved Parameters Plan – drawing ref: 2387/2005/Rev F. The route of the proposed roadway shown on the Parameters Plan shall be safeguarded for the provision of footpath, cycle and vehicular links to the adjacent land, and no built development will be permitted on that part of the site.

4. Any reserved matters application in respect of scale shall be limited to those heights detailed on plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F

5. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

(i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and

(ii) full details of the finished floor levels of all buildings and hard surfaces.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

7. Any reserved matters application in respect of layout shall include details of parking for HGVs, private cars and covered cycle parking facilities associated with each specific unit on the site. The facilities shall be maintained as approved thereafter.

8. All new buildings approved as part of any reserved matters application shall be designed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (32542-ELDS) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating 'Good'.

Pre-commencement conditions

9. Prior to the commencement of any part of the development hereby permitted, approval shall be obtained from the Local Planning Authority with respect to the following matters: internal access, scale, appearance, layout and landscaping.

10. Prior to the commencement of any part of the development hereby permitted, a s278 Agreement under the Highways Act 1980 shall be entered into to secure improvements to the SCOOT operation of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction.

11. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;
- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;
- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;
- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and
- A list of contact details during development.

The development shall be fully undertaken in full accordance with the approved AMS.

12. Prior to the commencement of development, notwithstanding the details within the Flood Risk Assessment & Drainage Strategy, details of the Sustainable Drainage System (SUDS), including the following shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed arrangements for the methods to attenuate and discharge surface water from the site;
- Detailed scale plans of the SUDs attenuation basin
- Micro drainage reports and flood route plan;
- SUDS maintenance plan;
- Detailed plans of required culvert;
- Details of additional storage for geo-cellular storage vessel;
- Details of proposed pollution control measures for surface water runoff from car parks;
- Proposals for conveying water of existing watercourses (drains, ditches) on site; and
- Management and maintenance details.

The development shall be implemented in full accordance with the agreed details only.

13. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

14. Prior to the commencement of development hereby approved by the Local Planning Authority, a Construction Environmental Management Plan (CEMP) in accordance with the Framework CEMP Ref: Rev 01 dated 9 February 2024 shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for:

- the methods to be employed to control and monitor noise,
- dust mitigation measures as identified within SLR report reference: 402.065112.00001 rev 4.0 dated 28/03/2024
- vibration impacts,
- mud on the road,
- the storage of building materials, equipment and plant, and
- the placement of site cabins, site offices and storage containers.

The approved CEMP shall be implemented before the construction works commence and shall be adhered to for the duration of the construction works.

15. Prior to the commencement of development, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS should be included as ecological input to inform the contractors environmental method statement (CEMP) pursuant to condition 14, to ensure reasonable avoidance measures, where required, are put in place prior to site clearance and for the duration of the construction works.

16. Prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, and shall include:

- Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
- The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
- The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
- A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:
    - Description of all habitats to be created/enhanced with the scheme including expected management condition and total area;
    - Review of the ecological constraints;
    - Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
    - Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
    - Identification of the persons responsible for implementing the works;

    - A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
    - A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
- All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.
- The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

17. Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev A), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

19. No development shall take place until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Pre-occupancy or other stage conditions

20. Within 2 years of the first submission of reserved matters, a reserved matters application for landscaping details shall be submitted for the area coloured green and annotated for such on the approved parameters plan ref: 2387/2005/Rev F. It shall include: full details of hard and soft landscaping, retention of existing trees, and details maintenance and management, together with a timetable to implement each of the above. The above shall be implemented in accordance with the approved timetable and maintained as approved thereafter.

21. The development hereby approved shall only operate in accordance with the Operational Noise Management Plan ref NMP01 / Rev B dated 26 January 2024, that has been submitted to and approved by the Local Planning Authority. That Noise Management Plan shall take account of the findings of the Noise Impact Assessment Ref 11358.1 Rev D dated 30 January 2024.

22. Operational noise: The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

- Daytime Monday to Sunday 07:00 to 23:00 - 38dB(A)
- Nighttime Monday to Sunday 23:00 to 07:00 - 30 dB(A)

23. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odours (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

24. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

25. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Training and Employment Management Plan (T&EMP) has been submitted to, and approved in writing by, the Local Planning Authority for that building. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and

- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

26. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The electric vehicle charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

27. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Conditions relating to post occupancy monitoring and management.

28. No external lighting shall be installed other than in accordance with the details submitted to and approved by the Local Planning Authority beforehand. The lighting shall thereafter be maintained and operated in accordance with the approved details.

From: [redacted] 97381/OUTMAJ
Date: 20 January 2025 11:01:00
Attachments: Draft Conditions 97381.docx

[redacted]

I refer to the above planning application. Please find enclosed draft planning conditions for the above planning application. These include a mix of the LPA's standard conditions, those suggested by you, which are based on reserved matters application requirements, plus pre-commencement planning conditions.

The conditions will form the basis of the meeting tomorrow. I have removed reference to any draft documents at this time, as it is unnecessary, especially if documents need updating I.E CEMP. Where this is the case, a standard condition has been inserted.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

Draft Conditions – 97381 – Ashton Park (Caddick)

Recommendation

Approve with conditions;

Conditions:

1. (i) Any reserved matters application for approval must be made not later than the expiration of three years beginning with the date of this permission; and

   (ii) The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the reserved matters namely; siting, scale, appearance and landscaping.

Reason: The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby approved shall be carried out in accordance with the details indicated on plan references;

   - Location Plan Ref:2387/2000/Rev D
   - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A
   - Proposed Site Access Plan Ref 3578-F05 Rev B

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan, Places for Everyone Plan and National Planning Policy Framework.

4. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

(i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
(ii) full details of the finished floor levels of all buildings and hard surfaces.

Reason: To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

5. Any reserved matters application in respect of scale shall be limited to those heights detailed on plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F.

Reason: The planning application is for outline consent with access only. Layout and Landscaping are reserved matters and do not form part of the planning assessment at this stage. The inclusion of the plan is in regard to the scale of the development only, restricting height limits to the highlighted area in yellow, to ensure the development assimilates into the wider area, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

Reason: For the purpose to design out crime during the initial design stages of the development, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

7. Any reserved matters application submitted in respect of layout or landscaping shall include a physical means of direct pedestrian and cyclist connection to Public Right of Way (PROW) identified as Wigan 032. The design shall be led by a sustainable approach to securing permeable access from the PROW, taking into account site levels, supported by a detailed site plan and cross sections along regular intervals. The approved scheme shall be implemented in full accordance with the agreed details, and made available for full operational use prior to any development coming into first use. Once installed, the access provision shall be retained and maintained thereafter.

Reason: To ensure sufficient information is submitted with the reserved matters application having regard to permeable pedestrian and cycle connectivity from the Public Right of Way (PROW) to the development site, in accordance with Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

8. Any reserved matters application submitted in respect of layout shall be accompanied by a site-specific connectivity plan, the details of which shall include:

    - Detailed plans to scale, showing a highway, pedestrian and cycle connectivity up to the application site southwest boundary as shown on plan reference- Location Plan Ref:2387/2000/Rev D along the route as shown on plan reference - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F, accompanied by;
    - Existing and proposed levels.

Reason: To provide permeable connectivity across the development site and sustainable connections with the wider designated Primary Employment Area land allocation, as defined within saved Wigan Unitary Development Plan Policy EM1A, with the aim of encouraging sustainable travel routes for all road users, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with

any associated unit on the site. The facilities shall be installed prior to the development coming into first use and maintained as approved thereafter.

Reason: To secure adequate facilities in relation to the proposed development and to promote the sustainable modes of travel, whilst providing adequate security measures, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

10. Any reserved matters application in respect of layout shall include details of parking for Heavy Goods Vehicles and private vehicles, including cars and motorcycles associated with each specific unit on the site. This shall be accompanied by detailed swept paths analysis for Heavy Goods Vehicles across any site layout plan. Once approved, the provision shall be implemented in full accordance with the agreed details and shall be maintained as approved thereafter.

Reason: To provide adequate information to assess the impact of the development on internal access roads within the application site, and to ensure sufficient parking provision is provided, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1 and JP-C7, Replacement Wigan Unitary Development Plan Policy A1S and the National Planning Policy Framework.

11. Any reserved matters application submission in respect of landscaping shall include the provision of native tree planting and avoid the overuse of Birch and Sallow. The details of which shall be provided within a full landscape scheme for the development, or the relevant phase of the development including new trees of a minimum girth of 12-14cm, together with an implementation and management plan to also factor in on-site biodiversity gains.

Reason: To provide adequate mitigation and to enhance the setting of the development, having regard to Places for Everyone Joint Development

Plan Policies JP-G6 and JP-G7 and the National Planning Policy Framework.

12. Any reserved matter application submission in respect of layout, shall be accompanied by updated drainage information which sets out the protection of existing water features such as ditches across the application site. The approved measures shall be implemented in full accordance with the agreed details only during the construction phase and operational phase of the development.

Reason: To protect existing environmental features across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

13. Any reserved matters application submission in respect of layout and landscaping, shall be accompanied by an updated Badger and Bird Survey, together with any necessary mitigation and reasonable avoidance measures.

Reason: The information is required for the assessment of layout under a reserved matters submission, to protect protective species across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

14. All new buildings approved as part of any reserved matters application shall be designed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (32542-ELDS) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating 'Excellent'. Within 6 months of completion, written evidence shall be provided to the Local Planning Authority confirming the BREEAM rating.

Reason: To ensure the development is low carbon based, in accordance with Wigan Local Plan Core Strategy Policy CP10, Places for Everyone Joint Development Plan Policy JP-S2 and the National Planning Policy Framework.

15. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in

writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;

- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;

- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;

- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and

- A list of contact details during development.

  The development shall be fully undertaken in full accordance with the approved AMS at all times thereafter.

Reason: The works are fundamental to site preparation, to safeguard the health of existing trees on the site and biodiversity, having regard to Policies JP-G1, JP-G2 and JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: The details are fundamental to the drainage strategy for the development, having regard to flood risk, pollution and management in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

17. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

Reason: The detail is required as it is fundamental to the drainage strategy for the development, in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev A), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify

any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

Reason: The details are necessary since they are fundamental to the site preparation works and form of the development and to ensure that any contamination is investigated and treated during the carrying out of the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

19. No development shall take place, with the exception of site clearance, until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

    -Measures to ensure the owner and contractors work directly with local employment and training agencies;
    -Targets for employing local labour;
    -Targets for work experience opportunities;
    -Measures to provide training opportunities in respect of any new jobs created; and
    -Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

    The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

20. Prior to the commencement of development, relevant to each reserved matters phase, a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the

Local Planning Authority. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

21. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2") and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works.

Reason: The details are fundamental to site preparation works in order to protect the surrounding environment from potential harm, having regard to noise, dust and vibration, vehicle movements and general activity which may cause harm to the environment, in accordance with the requirements of Policy CP17 of Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

22. No removal of or works to any hedgerows, trees or shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been provided and agreed in writing by the Local Planning Authority.

Reason: To protect the ecological value of the site, particular nesting birds, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

23. Prior to the commencement of development, including earthworks or the clearance of vegetation, an updated Ecological Construction Environmental Management Plan (ECEMP) associated with workings on the site, in related to mammals and amphibians shall be submitted to and approved in writing. The ECEMP shall set out necessary mitigation measures for the protection of mammals and amphibians, together with the timing, implementation and management of such measures. The agreed document shall be implemented in full accordance with the agreed details only.

Reason: The details are fundamental to site preparation works to protect natural wildlife across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

24. Prior to the commencement of any earthworks taking place across the development site, a survey for invasive plant species including Japanese knotweed shall be carried out across the site, and the findings submitted to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures shall also be supplied to and agreed in writing by the Local Planning Authority. The method statement shall be implemented in full accordance with the agreed measures only.

Reason: The information is fundamental to the development, to remove potential contamination across the site and prevent the spread of any invasive species in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and the objectives of the National Planning Policy Framework.

25. Prior to the commencement of development, including tree felling and earth movement, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS shall be accompanied by an updated Bat Survey, together with reasonable avoidance and mitigation measures, where necessary, and should be included as an ecological input to inform contractors, having regard to ECEMP pursuant to condition 22. The PWMS shall be implemented in full accordance with the agreed details only, throughout the duration of the construction works, up until completion of the development.

Reason: The information is fundamental to the development, to protect protective species across the development site, which have been identified in the supporting planning documents, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

26. No development shall take place until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the approved Biodiversity Gain Plan and include:
a) a non-technical summary;

b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

c) the planned habitat creation and/or enhancement works to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

d) An implementation programme setting out details of the timescale for carrying out the planned habitat creation and/or enhancement works;

e) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from substantial completion of the development hereby approved; and

f) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

The approved HMMP shall be implemented in full and written notice shall be given to the Local Planning Authority when: a) the HMMP has been implemented; and b) the habitat creation and/or enhancement set out in the HMMP has been completed.

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

27. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	36dBA
Night time	Monday to Sunday	23:00 to 07:00	29dBA

Extended Garden/Allotments (Bolton Road and Bryn Road)
Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A).
Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

28. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the

approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Reason: To promote sustainable modes of transport, optimising travel arrangements to and from the development site, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

29. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle (EV) Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The EV charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

Reason: To enhance air quality and provide alternative methods of power to promote sustainable modes of transport, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

30. Prior to first use of any development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. Once, approved, the NMP

shall be adopted by all end users to ensure compliance with noise levels as set out in condition 27.

Reason: To ensure the noise limits as set out in condition 21 are achieved to protect the amenity of the surrounding area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

31. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odors (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

32. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

33. No development hereby approved shall be brought into first use, until the vehicle access provision from Lockett Road, into the application site as shown on plan reference - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A and Proposed Site Access Plan Ref 3578-F05 Rev B up to the application site's north east boundary has been implemented in full.

Reason: For the avoidance of doubt, and to ensure safe and convenient access is provided into the application site from Lockett Road, ensuring a

connection to the wider Primary Employment Area land allocation, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JPC7 and the National Planning Policy Framework

34. No development hereby approved shall be brought into first use, until improvements to the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction has been implemented in full accordance with a scheme previously submitted and approved by the Local Planning Authority.

Reason: To provide necessary road junction improvements, having regard to the flow of traffic movements in the area of the development, in accordance with Local Plan Core Strategy Policy CP7, Places for Everyone Joint Development Plan Policies JP-C1 and JP-C7 and the National Planning Policy Framework.

From: [redacted]
Subject: RE: Ashton Park
Date: 28 January 2025 11:47:48
Attachments: image001.png
image002.jpg
LPA Draft Conditions 97381 - editing following meeting with LPA (MJ and SAR further comments)(Caddick) (002).docx

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CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Hi [redacted]

My earlier email included a version of the conditions that did not include all of the suggested revisions to Condition 26 – now attached.

I did just try and call you and have left a voicemail – do call me back if you think that there would be merit in us having a brief discussion to finally get this over the line.

Kind regards

[redacted]

From: [redacted]
Sent: 28 January 2025 08:14
To: [redacted] >
Cc: [redacted] >; [redacted]
[redacted]
Subject: RE: Ashton Park

Hi [redacted]

My further response to the conditions was sat in my outbox yesterday.

Please see additional comments on the following:

- condition 14 – BREEAM
- condition 26 – BNG

I trust that these further amendments can be agreed and you are able to issue the decision notice tomorrow.

Kind regards

[redacted]

From: [redacted]
[redacted] 11:25
To: [redacted]
[redacted]
Subject: RE: Ashton Park

Good morning [redacted]

I was a little premature with my comments yesterday – there are a couple of further points that I am currently discussing with Caddick; I'll get this over to you shortly.

Kind regards

[redacted]

From: [redacted]
Sent: 26 January 2025 16:18
To: [redacted] >
Cc: [redacted]
Subject: RE: Ashton Park

Hi [redacted]

Thank you for your prompt response.

I have added a further response to a couple of your comments (see attached).

I do think that we're almost there.

Kind regards

[redacted]

From: [redacted] >
Sent: 24 January 2025 17:10
To: [redacted]
Subject: RE: Ashton Park

[redacted]

Thank you for the revised condition lists.

Please find enclosed some additional comments and tracked changes on the conditions.

I just have a query on the noise levels and the second BNG condition, and whether this is controlled by the mandatory submission of the pre-commencement condition.
There is some added text to the first BNG condition, in reference to the base line habitat score pre any works taking place.

I am on leave on Monday but will pick up any further comments next week.

I have copied in [redacted] and [redacted] into the email correspondence.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 23 January 2025 11:37
To: [redacted] <[redacted]; [redacted]
[redacted]>
Cc: [redacted]
[redacted]
Subject: Ashton Park

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Dear both

Thank you for your time earlier this week to discuss the schedule of conditions.

As agreed, I have updated the schedule according to our discussion and, where appropriate, added notes to explain the amendments.

You will note that the biggest change that wasn't discussed on Tuesday, relates to the conditions to secure BNG. We previously proposed two conditions that while more onerous to the developer, are more robust and less open to challenge since they provide certainty with regard to BNG (including off-site provision) to achieve the +10% target.

I also attach the signed UU incorporating all of those changes requested by Mike in our exchange of emails last week.

I trust that the amendments to the conditions can now be agreed and that you will be in a position to issue the decision notice by COB on 29th January as indicated at our meeting.

Kind regards

[redacted]
Director

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]

www.ryanandmay.co.uk

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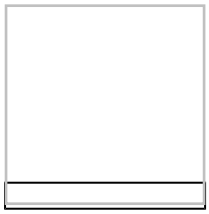

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Draft Conditions – 97381 – Ashton Park (Caddick)

Recommendation

Approve with conditions;

Conditions:

1. (i) Any reserved matters application for approval must be made not later than the expiration of three years beginning with the date of this permission; and

   (ii) The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the reserved matters namely; siting, scale, appearance and landscaping.

Reason: The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby approved shall be carried out in accordance with the details indicated on plan references;

   - Location Plan Ref:2387/2000/Rev D
   - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A
   - Proposed Site Access Plan Ref 3578-F05 Rev B

   - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F

Commented [SR1]: Agreed inclusion of the parameters plan which identifies the maximum limits of built development, maximum heights and safeguards the position of the road link to the NE and SW.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan, Places for Everyone Plan and National Planning Policy Framework.

4. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

   (i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
   (ii) full details of the finished floor levels of all buildings and hard surfaces.

Reason: To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

5. Any reserved matters application in respect of scale and siting of built development (including areas for parking, servicing and other areas of hard-standing) shall be limited to those heights and the area identified in yellow on plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F

Reason: The planning application is for outline consent with access only. For the avoidance of doubt and to ensure the development assimilates into the wider area, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

Reason: For the purpose to design out crime during the initial design stages of the development, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

7. Any reserved matters application submitted in respect of layout or landscaping shall include a physical means of providing a direct pedestrian and cyclist connection between the development and the Public Right of Way (PROW) identified as Wigan 032. The design shall be led by a sustainable approach to securing permeable access from the PROW, taking into account site levels, supported by a detailed site plan and cross sections along regular intervals. The approved scheme shall be implemented in full accordance with the agreed details, and made available for full operational use prior to any development coming into first use. Once installed, the access provision shall be retained and maintained thereafter.

Reason: To ensure sufficient information is submitted with the reserved matters application having regard to permeable pedestrian and cycle connectivity from the Public Right of Way (PROW) to the development site, in accordance with Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

8. Any reserved matters application submitted in respect of layout shall be accompanied by a site-specific connectivity plan, the details of which shall include:

    - Detailed plans to scale, showing highway, pedestrian and cycle connectivity up to and including the application site south-west boundary as shown on plan reference - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F
    - Existing and proposed levels.

Reason: To provide permeable connectivity across the development site and sustainable connections with the wider designated Primary Employment Area land allocation, as defined within saved Wigan Unitary Development Plan Policy EM1A, with the aim of encouraging sustainable travel routes for all road users, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JP-C7, the Access

for All Supplementary Planning Document and the National Planning Policy Framework.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with any associated unit on the site. The facilities shall be installed prior to the development coming into first use and maintained as approved thereafter.

Reason: To secure adequate facilities in relation to the proposed development and to promote the sustainable modes of travel, whilst providing adequate security measures, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

10. Any reserved matters application in respect of layout shall include details of parking for Heavy Goods Vehicles and private vehicles, including cars and motorcycles associated with each specific unit on the site. This shall be accompanied by detailed swept paths analysis for Heavy Goods Vehicles across any site layout plan. Once approved, the provision shall be implemented in full accordance with the agreed details and shall be maintained as approved thereafter.

Reason: To provide adequate information to assess the impact of the development on internal access roads within the application site, and to ensure sufficient parking provision is provided, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1 and JP-C7, Replacement Wigan Unitary Development Plan Policy A1S and the National Planning Policy Framework.

11. Notwithstanding the approved parameters plans .....any reserved matters application submission in respect of landscaping shall include the provision of native tree planting and avoid the overuse of Birch and Sallow. The details of which shall be provided within a full landscape scheme for the development, or the relevant phase of the development,

together with an implementation and management plan to also factor in on-site biodiversity gains.

Reason: To provide adequate mitigation and to enhance the setting of the development, having regard to Places for Everyone Joint Development Plan Policies JP-G6 and JP-G7 and the National Planning Policy Framework.

12. Any reserved matter application submission in respect of layout, shall be accompanied by updated drainage information which sets out the protection of existing water features such as ditches across the application site. The approved measures shall be implemented in full accordance with the agreed details only during the construction phase and operational phase of the development.

Reason: To protect existing environmental features across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

13. Any reserved matters application submission in respect of layout and landscaping, shall be accompanied by an updated Badger and Bird Survey, in the event the submission is made more than 2 years after the dates of the original surveys accompanying the outline application, together with any necessary mitigation and reasonable avoidance measures.

Commented [SR2]: Surveys last for 2 years

Reason: The information is required for the assessment of layout under a reserved matters submission, to protect protective species across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

~~14.~~ All new buildings approved as part of any reserved matters application shall be designed and constructed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (32542-ELDS) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating 'Excellent'. ~~Within 24 months of completion, written evidence shall be provided to the Local Planning Authority~~

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~~confirming the building(s) are being operated to the 'Excellent' BREEAM rating.~~

Reason: To ensure the development is low carbon based, in accordance with Wigan Local Plan Core Strategy Policy CP10, Places for Everyone Joint Development Plan Policy JP-S2 and the National Planning Policy Framework.

15. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

    - Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

    - Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;

    - Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;

    - Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;

    - Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and

    - A list of contact details during development.

    The development shall be fully undertaken in full accordance with the approved AMS at all times thereafter.

Commented [SR3]: Remove this final sentence - it is not reasonable to require confirmation that the building is being operated in accordance with BREEAM.
Condition has been amended to ensure that the building is designed and constructed according to BREEAM excellent.
This approach is consistent with the Glenbrook appeal (condition 20)

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Reason: The works are fundamental to site preparation, to safeguard the health of existing trees on the site and biodiversity, having regard to Policies JP-G1, JP-G2 and JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16. Prior to the commencement of development, details of a sustainable surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

    (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
    (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
    (v) Foul and surface water shall drain on separate systems.

    The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Commented [SR4]: This is covered in the following condition

Reason: The details are fundamental to the drainage strategy for the development, having regard to flood risk, pollution and management in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

17. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use

until the unit has been connected to the completed approved foul drainage scheme.

Reason: The detail is required as it is fundamental to the drainage strategy for the development, in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev B), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

Reason: The details are necessary since they are fundamental to the site preparation works and form of the development and to ensure that any contamination is investigated and treated during the carrying out of the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

19. No development shall take place, with the exception of site clearance, until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

    -Measures to ensure the owner and contractors work directly with local employment and training agencies;
    -Targets for employing local labour;
    -Targets for work experience opportunities;
    -Measures to provide training opportunities in respect of any new jobs created; and
    -Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

20. Prior to the commencement of development, relevant to each reserved matters phase, a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

    - Measures to ensure the owner and contractors work directly with local employment and training agencies;
    - Targets for employing local labour;
    - Targets for work experience opportunities;
    - Measures to provide training opportunities in respect of any new jobs created; and
    - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

    The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

21. Prior to the commencement of any development hereby approved, save enabling and ground investigation works, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document “Guidance on the assessment of dust from demolition and construction – 2024 version 2.2”) and vibration impacts. The approved scheme shall be

implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works.

Reason: The details are fundamental to site preparation works in order to protect the surrounding environment from potential harm, having regard to noise, dust and vibration, vehicle movements and general activity which may cause harm to the environment, in accordance with the requirements of Policy CP17 of Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

22. No removal of or works to any hedgerows, trees or shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been provided and agreed in writing by the Local Planning Authority.

Reason: To protect the ecological value of the site, particular nesting birds, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

23. With the exception of enabling works, including ground investigation works, prior to the commencement of development, including earthworks or the clearance of vegetation, an updated Ecological Construction Environmental Management Plan (ECEMP) associated with workings on the site, in related to mammals and amphibians shall be submitted to and approved in writing. The ECEMP shall set out necessary mitigation measures for the protection of mammals and amphibians, together with the timing, implementation and management of such measures. The agreed document shall be implemented in full accordance with the agreed details only.

Reason: The details are fundamental to site preparation works to protect natural wildlife across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

24. Prior to the commencement of any earthworks taking place across the development site, a survey for invasive plant species including Japanese knotweed shall be carried out across the site, and the findings submitted to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures shall also be supplied to and agreed in writing by the Local Planning Authority. The method statement shall be implemented in full accordance with the agreed measures only.

Reason: The information is fundamental to the development, to remove potential contamination across the site and prevent the spread of any invasive species in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and the objectives of the National Planning Policy Framework.

25. Prior to the commencement of development, including tree felling and earth movement, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS shall be accompanied by an updated Bat Survey, together with reasonable avoidance and mitigation measures, where necessary, and should be included as an ecological input to inform contractors, having regard to ECEMP pursuant to condition 22. The PWMS shall be implemented in full accordance with the agreed details only, throughout the duration of the construction works, up until completion of the development.

Reason: The information is fundamental to the development, to protect protective species across the development site, which have been identified in the supporting planning documents, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

26. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. ~~If offsetting is proposed, a~~ The scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, ~~with 10% net gain in biodiversity to be achieved~~ against ~~in relation to~~ the on-site base habitat position ~~prior to the commencement of development, including enabling works, and ground investigation works,~~ and shall include:

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Commented [SR5]: As agreed at our recent meeting - ground investigation and enabling works can be carried out ahead of this. Such wording has been added at the front end of the condition.

· Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
· The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
· The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
· A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:
(a) Description of all habitats to be created/enhanced with the scheme including expected management condition and total area
(b) Review of the ecological constraints;
(c) Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
(d) Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
(e) Identification of the persons responsible for implementing the works;
(f) A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
(g) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
· All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.
· The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

27. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

Commented [MJ6]: Is this necessary, silent condition would address this requirements. BNG plan is required to be discharged in full prior to commencement of works across the site.

Commented [MJ7R6]: But happy for it to be retained.

Commented [SR8R6]: Okay to delete the condition and for this to be added as an informative

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

28. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	38dBA
Night time	Monday to Sunday	23:00 to 07:00	30dBA

Extended Garden/Allotments (Bolton Road and Bryn Road) Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A). Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

29. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework

Commented [MJ9]: Why have levels been changed. This is required as per the consultation with the EP Officers.

Commented [MJ10R9]: Can you point out where in the Noise Assessment these figures are?

Commented [SR11R9]: Table 5 on page 9 of the Acoustic Assessment Report

Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Reason: To promote sustainable modes of transport, optimising travel arrangements to and from the development site, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

30. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle (EV) Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The EV charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

Reason: To enhance air quality and provide alternative methods of power to promote sustainable modes of transport, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

31. Prior to first use of any development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. Once, approved, the NMP shall be adopted by all end users to ensure compliance with noise levels as set out in condition 27.

Reason: To ensure the noise limits as set out in condition 21 are achieved to protect the amenity of the surrounding area, having regard to Policy CP17

of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

32. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odors (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

33. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

34. No development hereby approved shall be brought into first use, until the vehicle access provision from Lockett Road, into the application site as shown on plan reference - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A and Proposed Site Access Plan Ref 3578-F05 Rev B up to and including the application site's north east boundary has been implemented in full.

Reason: For the avoidance of doubt, and to ensure safe and convenient access is provided into the application site from Lockett Road, safeguarding a connection to the wider Primary Employment Area land allocation, having regard to Policy CP7 of the Wigan Local Plan Core

Commented [SR12]: As per para 98 of the Inspector's decision letter re Glenbrook

Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JPC7 and the National Planning Policy Framework

35. No development hereby approved shall be brought into first use, until improvements to the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street. junction has been implemented in full accordance with a scheme previously submitted and approved by the Local Planning Authority.

36.

Prior to the commencement of any development hereby approved, save enabling and ground investigation works, an implementation plan and timetable for the delivery of the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction shall be submitted to and approved in writing by the Local Planning Authority. The highway works detailed shall be completed in full, and in full accordance with the approved implementation plan timetable.

Reason: To provide necessary road junction improvements, having regard to the flow of traffic movements in the area of the development, in accordance with Local Plan Core Strategy Policy CP7, Places for Everyone Joint Development Plan Policies JP-C1 and JP-C7 and the National Planning Policy Framework.

Commented [SR13]: This ensures that the developer funds those works but is not constrained by the highway authority's ability to implement

Commented [MJ14R13]: To provide flexibility, and to avoid any delays in the submission of the scheme prior to the development coming into first use.

Commented [SR15R13]: Gareth indicated that submission of the scheme could include the timetable for entering into a s278 with the highway authority. That is acceptable, but the developer should not then be reliant upon the third party (i.e. the highway authority) to ensure that the SCOOT is implemented

From: [redacted]
Subject: RE: Ashton Park
Date: 24 January 2025 17:09:00
Attachments: LPA Draft Conditions 97381 - editing following meeting with LPA -a.docx
image001.png

[redacted]

Thank you for the revised condition lists.

Please find enclosed some additional comments and tracked changes on the conditions.

I just have a query on the noise levels and the second BNG condition, and whether this is controlled by the mandatory submission of the pre-commencement condition.
There is some added text to the first BNG condition, in reference to the base line habitat score pre any works taking place.

I am on leave on Monday but will pick up any further comments next week.

I have copied in Tom and Gareth into the email correspondence.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
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www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 23 January 2025 11:37
To: [redacted])
<[redacted]>
Cc: [redacted]
Subject: Ashton Park

CAUTION External E-Mail: Take extra care before clicking links, attachments

and actioning requests. Think Before you Click

Dear both

Thank you for your time earlier this week to discuss the schedule of conditions.

As agreed, I have updated the schedule according to our discussion and, where appropriate, added notes to explain the amendments.

You will note that the biggest change that wasn't discussed on Tuesday, relates to the conditions to secure BNG. We previously proposed two conditions that while more onerous to the developer, are more robust and less open to challenge since they provide certainty with regard to BNG (including off-site provision) to achieve the +10% target.

I also attach the signed UU incorporating all of those changes requested by Mike in our exchange of emails last week.

I trust that the amendments to the conditions can now be agreed and that you will be in a position to issue the decision notice by COB on 29th January as indicated at our meeting.

Kind regards

[redacted]

Director

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]

www.ryanandmay.co.uk

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Draft Conditions – 97381 – Ashton Park (Caddick)

Recommendation

Approve with conditions;

Conditions:

1. (i) Any reserved matters application for approval must be made not later than the expiration of three years beginning with the date of this permission; and

   (ii) The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the reserved matters namely; siting, scale, appearance and landscaping.

Reason: The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby approved shall be carried out in accordance with the details indicated on plan references;

   - Location Plan Ref:2387/2000/Rev D
   - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A
   - Proposed Site Access Plan Ref 3578-F05 Rev B

   - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F

Commented [SR1]: Agreed inclusion of the parameters plan which identifies the maximum limits of built development, maximum heights and safeguards the position of the road link to the NE and SW.

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Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan, Places for Everyone Plan and National Planning Policy Framework.

4. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

   (i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
   (ii) full details of the finished floor levels of all buildings and hard surfaces.

Reason: To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

5. Any reserved matters application in respect of scale and siting of built development (including areas for parking, servicing and other areas of hard-standing) shall be limited to those heights and the area identified in yellow on ~~detailed on~~ plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F~~.~~

Reason: The planning application is for outline consent with access only. ~~Layout and Landscaping are reserved matters and do not form part of the planning assessment at this stage. The inclusion of the plan is in regard to the scale of the development only, restricting height limits to the highlighted area in yellow,~~ For the avoidance of doubt and to ensure the development assimilates into the wider area, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

Reason: For the purpose to design out crime during the initial design stages of the development, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

7. Any reserved matters application submitted in respect of layout or landscaping shall include a physical means of providing a direct pedestrian and cyclist connection between the development and the ~~to~~ Public Right of Way (PROW) identified as Wigan 032. The design shall be led by a sustainable approach to securing permeable access from the PROW, taking into account site levels, supported by a detailed site plan and cross sections along regular intervals. The approved scheme shall be implemented in full accordance with the agreed details, and made available for full operational use prior to any development coming into first use. Once installed, the access provision shall be retained and maintained thereafter.

Reason: To ensure sufficient information is submitted with the reserved matters application having regard to permeable pedestrian and cycle connectivity from the Public Right of Way (PROW) to the development site, in accordance with Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

8. Any reserved matters application submitted in respect of layout shall be accompanied by a site-specific connectivity plan, the details of which shall include:

    - Detailed plans to scale, showing ~~a~~ highway, pedestrian and cycle connectivity up to and including the application site south-west boundary~~ies~~ ~~as southwest boundary as shown on plan reference Location Plan Ref:2387/2000/Rev D along the route as~~ shown on plan reference - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F~~, accompanied by;~~
    - Existing and proposed levels.

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Reason: To provide permeable connectivity across the development site and sustainable connections with the wider designated Primary Employment Area land allocation, as defined within saved Wigan Unitary Development Plan Policy EM1A, with the aim of encouraging sustainable travel routes for all road users, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with any associated unit on the site. The facilities shall be installed prior to the development coming into first use and maintained as approved thereafter.

Reason: To secure adequate facilities in relation to the proposed development and to promote the sustainable modes of travel, whilst providing adequate security measures, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

10. Any reserved matters application in respect of layout shall include details of parking for Heavy Goods Vehicles and private vehicles, including cars and motorcycles associated with each specific unit on the site. This shall be accompanied by detailed swept paths analysis for Heavy Goods Vehicles across any site layout plan. Once approved, the provision shall be implemented in full accordance with the agreed details and shall be maintained as approved thereafter.

Reason: To provide adequate information to assess the impact of the development on internal access roads within the application site, and to ensure sufficient parking provision is provided, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1 and JP-C7, Replacement Wigan Unitary Development Plan Policy A1S and the National Planning Policy Framework.

11. Notwithstanding the approved parameters plans ~~A~~.....any reserved matters application submission in respect of landscaping shall include

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the provision of native tree planting and avoid the overuse of Birch and Sallow. The details of which shall be provided within a full landscape scheme for the development, or the relevant phase of the development ~~including new trees of a minimum girth of 12-14cm~~, together with an implementation and management plan to also factor in on-site biodiversity gains.

Reason: To provide adequate mitigation and to enhance the setting of the development, having regard to Places for Everyone Joint Development Plan Policies JP-G6 and JP-G7 and the National Planning Policy Framework.

12. Any reserved matter application submission in respect of layout, shall be accompanied by updated drainage information which sets out the protection of existing water features such as ditches across the application site. The approved measures shall be implemented in full accordance with the agreed details only during the construction phase and operational phase of the development.

Reason: To protect existing environmental features across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

13. Any reserved matters application submission in respect of layout and landscaping, shall be accompanied by an updated Badger and Bird Survey, in the event the submission is made more than 2 years after the dates of the original surveys accompanying the outline application, together with any necessary mitigation and reasonable avoidance measures.

Commented [SR2]: Surveys last for 2 years

Reason: The information is required for the assessment of layout under a reserved matters submission, to protect protective species across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

14. All new buildings approved as part of any reserved matters application shall be designed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (32542-ELDS) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating 'Excellent'. Within ~~6~~24~~18~~ months of completion, written

evidence shall be provided to the Local Planning Authority confirming the building(s) are being operated to the 'Excellent' BREEAM rating.

Reason: To ensure the development is low carbon based, in accordance with Wigan Local Plan Core Strategy Policy CP10, Places for Everyone Joint Development Plan Policy JP-S2 and the National Planning Policy Framework.

15. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

    - Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

    - Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;

    - Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;

    - Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;

    - Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and

    - A list of contact details during development.

    The development shall be fully undertaken in full accordance with the approved AMS at all times thereafter.

Reason: The works are fundamental to site preparation, to safeguard the health of existing trees on the site and biodiversity, having regard to Policies JP-G1, JP-G2 and JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16. Prior to the commencement of development, details of a sustainable surface water drainage scheme ~~and a foul water drainage scheme~~ shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

    (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
    (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
    (v) Foul and surface water shall drain on separate systems.

    The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Commented [SR3]: This is covered in the following condition

Reason: The details are fundamental to the drainage strategy for the development, having regard to flood risk, pollution and management in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

17. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use

until the unit has been connected to the completed approved foul drainage scheme.

Reason: The detail is required as it is fundamental to the drainage strategy for the development, in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev BA), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

Reason: The details are necessary since they are fundamental to the site preparation works and form of the development and to ensure that any contamination is investigated and treated during the carrying out of the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

19. No development shall take place, with the exception of site clearance, until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

    -Measures to ensure the owner and contractors work directly with local employment and training agencies;
    -Targets for employing local labour;
    -Targets for work experience opportunities;
    -Measures to provide training opportunities in respect of any new jobs created; and
    -Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

20. Prior to the commencement of development, relevant to each reserved matters phase, a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

    - Measures to ensure the owner and contractors work directly with local employment and training agencies;
    - Targets for employing local labour;
    - Targets for work experience opportunities;
    - Measures to provide training opportunities in respect of any new jobs created; and
    - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

    The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

21. Prior to the commencement of any development hereby approved, save enabling and ~~phase 2~~ ground ~~survey~~investigation works, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2") and vibration impacts. The approved scheme shall ~~be~~

~~implemented~~be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works.

Reason: The details are fundamental to site preparation works in order to protect the surrounding environment from potential harm, having regard to noise, dust and vibration, vehicle movements and general activity which may cause harm to the environment, in accordance with the requirements of Policy CP17 of Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

22. No removal of or works to any hedgerows, trees or shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been provided and agreed in writing by the Local Planning Authority.

Reason: To protect the ecological value of the site, particular nesting birds, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

23. With the exception of enabling works, including ~~phase 2 site~~ground investigation ~~survey~~ works, ~~P~~prior to the commencement of development, including earthworks or the clearance of vegetation, an updated Ecological Construction Environmental Management Plan (ECEMP) associated with workings on the site, in related to mammals and amphibians shall be submitted to and approved in writing. The ECEMP shall set out necessary mitigation measures for the protection of mammals and amphibians, together with the timing, implementation and management of such measures. The agreed document shall be implemented in full accordance with the agreed details only.

Reason: The details are fundamental to site preparation works to protect natural wildlife across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

24. Prior to the commencement of any earthworks taking place across the development site, a survey for invasive plant species including Japanese knotweed shall be carried out across the site, and the findings submitted to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures shall also be supplied to and agreed in writing by the Local Planning Authority. The method statement shall be implemented in full accordance with the agreed measures only.

Reason: The information is fundamental to the development, to remove potential contamination across the site and prevent the spread of any invasive species in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and the objectives of the National Planning Policy Framework.

25. Prior to the commencement of development, including tree felling and earth movement, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS shall be accompanied by an updated Bat Survey, together with reasonable avoidance and mitigation measures, where necessary, and should be included as an ecological input to inform contractors, having regard to ECEMP pursuant to condition 22. The PWMS shall be implemented in full accordance with the agreed details only, throughout the duration of the construction works, up until completion of the development.

Reason: The information is fundamental to the development, to protect protective species across the development site, which have been identified in the supporting planning documents, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

26. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, with 10% net gain in biodiversity to be achieved in relation to the on site base habitat position prior to the commencement of development, including enabling works, and ground investigation works, and shall include: ~~and shall include:~~

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· Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
· The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
· The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
· A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:
(a) Description of all habitats to be created/enhanced with the scheme including expected management condition and total area
(b) Review of the ecological constraints;
(c) Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
(d) Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
(e) Identification of the persons responsible for implementing the works;
(f) A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
(g) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
· All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.
· The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

27. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

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Commented [MJ4]: Is this necessary, silent condition would address this requirements. BNG plan is required to be discharged in full prior to commencement of works across the site.

Commented [MJ5R4]: But happy for it to be retained.

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~~26.No development shall take place until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the approved~~ Biodiversity Gain Plan ~~and include:~~

~~a) a non-technical summary;~~

~~b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;~~

~~c) the planned habitat creation and/or enhancement works to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;~~

~~d) An implementation programme setting out details of the timescale for carrying out the planned habitat creation and/or enhancement works;~~

~~e) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from substantial completion of the development hereby approved; and~~

~~f) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.~~

~~The approved HMMP shall be implemented in full and written notice shall be given to the Local Planning Authority when: a) the HMMP has been implemented; and b) the habitat creation and/or enhancement set out in the HMMP has been completed.~~

Commented [SR6]: The council has suggested a standard condition that does not directly reflect the circumstances of the application - the applicant has suggested two conditions that provide greater clarity and control relating to BNG

Commented [MJ7R6]: See above

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~27.~~28. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	38~~6~~dBA
Night time	Monday to Sunday	23:00 to 07:00	30~~29~~dBA

Commented [MJ8]: Why have levels been changed. This is required as per the consultation with the EP Officers.

Commented [MJ9R8]: Can you point out where in the Noise Assessment these figures are?

Extended Garden/Allotments (Bolton Road and Bryn Road)
Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A).
Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~28.~~29. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Reason: To promote sustainable modes of transport, optimising travel arrangements to and from the development site, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

~~29.~~30. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle (EV) Infrastructure Strategy and Implementation Plan shall be submitted to,

and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The EV charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

Reason: To enhance air quality and provide alternative methods of power to promote sustainable modes of transport, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

~~30.~~31. Prior to first use of any development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. Once, approved, the NMP shall be adopted by all end users to ensure compliance with noise levels as set out in condition 27.

Reason: To ensure the noise limits as set out in condition 21 are achieved to protect the amenity of the surrounding area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~31.~~32. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odors (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan

Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

~~32.~~33. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

~~33.~~34. No development hereby approved shall be brought into first use, until the vehicle access provision from Lockett Road, into the application site as shown on plan reference - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A and Proposed Site Access Plan Ref 3578-F05 Rev B up to and including the application site's north east boundary has been implemented in full.

Reason: For the avoidance of doubt, and to ensure safe and convenient access is provided into the application site from Lockett Road, safeguarding ~~ensuring~~ a connection to the wider Primary Employment Area land allocation, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JPC7 and the National Planning Policy Framework

35. No development hereby approved shall be brought into first use, until improvements to the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction has been implemented in full accordance with a scheme previously submitted and approved by the Local Planning Authority.

36.

~~34.~~Prior to the commencement of any development hereby approved, save enabling and ground investigation works, an implementation plan and timetable for the delivery of the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction shall be submitted to and approved in writing by the Local Planning Authority. The highway works detailed

Commented [SR10]: As per para 98 of the Inspector's decision letter re Glenbrook

Commented [SR11]: This ensures that the developer funds those works but is not constrained by the highway authority's ability to implement

Commented [MJ12R11]: To provide flexibility, and to avoid any delays in the submission of the scheme prior to the development coming into first use.

shall be completed in full, and in full accordance with the approved implementation plan timetable.

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Reason: To provide necessary road junction improvements, having regard to the flow of traffic movements in the area of the development, in accordance with Local Plan Core Strategy Policy CP7, Places for Everyone Joint Development Plan Policies JP-C1 and JP-C7 and the National Planning Policy Framework.

From: [redacted]
[redacted]
Subject: RE: Ashton Park
Date: 26 January 2025 16:18:01
Attachments: ~WRD1584.jpg
image001.png
LPA Draft Conditions 97381 - editing following meeting with LPA (MJ and SAR further comments).docx

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CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Hi [redacted]

Thank you for your prompt response.

I have added a further response to a couple of your comments (see attached).

I do think that we're almost there.

Kind regards

[redacted]

From: [redacted] >
Sent: 24 January 2025 17:10
To: [redacted]
Cc: [redacted]) [redacted] >; [redacted]
[redacted]
Subject: RE: Ashton Park

[redacted]

Thank you for the revised condition lists.

Please find enclosed some additional comments and tracked changes on the conditions.

I just have a query on the noise levels and the second BNG condition, and whether this is controlled by the mandatory submission of the pre-commencement condition.
There is some added text to the first BNG condition, in reference to the base line habitat score pre any works taking place.

I am on leave on Monday but will pick up any further comments next week.

I have copied in Tom and Gareth into the email correspondence.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 23 January 2025 11:37
To: [redacted]
Subject: Ashton Park

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Dear both

Thank you for your time earlier this week to discuss the schedule of conditions.

As agreed, I have updated the schedule according to our discussion and, where appropriate, added notes to explain the amendments.

You will note that the biggest change that wasn't discussed on Tuesday, relates to the conditions to secure BNG. We previously proposed two conditions that while more onerous to the developer, are more robust and less open to challenge since they provide certainty with regard to BNG (including off-site provision) to achieve the +10% target.

I also attach the signed UU incorporating all of those changes requested by Mike in our exchange of emails last week.

I trust that the amendments to the conditions can now be agreed and that you will be in a position to issue the decision notice by COB on 29th January as indicated at our meeting.

Kind regards

[redacted]

Director

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]

www.ryanandmay.co.uk

Please consider the environment before printing this email

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viruses.

Draft Conditions – 97381 – Ashton Park (Caddick)

Recommendation

Approve with conditions;

Conditions:

1. (i) Any reserved matters application for approval must be made not later than the expiration of three years beginning with the date of this permission; and

   (ii) The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the reserved matters namely; siting, scale, appearance and landscaping.

Reason: The application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with Part 3, Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby approved shall be carried out in accordance with the details indicated on plan references;

   - Location Plan Ref:2387/2000/Rev D
   - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A
   - Proposed Site Access Plan Ref 3578-F05 Rev B

   - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F

Commented [SR1]: Agreed inclusion of the parameters plan which identifies the maximum limits of built development, maximum heights and safeguards the position of the road link to the NE and SW.

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Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan, Places for Everyone Plan and National Planning Policy Framework.

4. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

   (i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
   (ii) full details of the finished floor levels of all buildings and hard surfaces.

Reason: To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

5. Any reserved matters application in respect of scale and siting of built development (including areas for parking, servicing and other areas of hard-standing) shall be limited to those heights and the area identified in yellow on ~~detailed on~~ plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F~~.~~

Reason: The planning application is for outline consent with access only. ~~Layout and Landscaping are reserved matters and do not form part of the planning assessment at this stage. The inclusion of the plan is in regard to the scale of the development only, restricting height limits to the highlighted area in yellow,~~ For the avoidance of doubt and to ensure the development assimilates into the wider area, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

Reason: For the purpose to design out crime during the initial design stages of the development, having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policy JP-P1 and the National Planning Policy Framework.

7. Any reserved matters application submitted in respect of layout or landscaping shall include a physical means of providing a direct pedestrian and cyclist connection between the development and the ~~to~~ Public Right of Way (PROW) identified as Wigan 032. The design shall be led by a sustainable approach to securing permeable access from the PROW, taking into account site levels, supported by a detailed site plan and cross sections along regular intervals. The approved scheme shall be implemented in full accordance with the agreed details, and made available for full operational use prior to any development coming into first use. Once installed, the access provision shall be retained and maintained thereafter.

Reason: To ensure sufficient information is submitted with the reserved matters application having regard to permeable pedestrian and cycle connectivity from the Public Right of Way (PROW) to the development site, in accordance with Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

8. Any reserved matters application submitted in respect of layout shall be accompanied by a site-specific connectivity plan, the details of which shall include:

    - Detailed plans to scale, showing ~~a~~ highway, pedestrian and cycle connectivity up to and including the application site south-west boundary~~ies~~ ~~as southwest boundary as shown on plan reference Location Plan Ref:2387/2000/Rev D along the route as~~ shown on plan reference - Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F~~, accompanied by;~~
    - Existing and proposed levels.

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Reason: To provide permeable connectivity across the development site and sustainable connections with the wider designated Primary Employment Area land allocation, as defined within saved Wigan Unitary Development Plan Policy EM1A, with the aim of encouraging sustainable travel routes for all road users, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with any associated unit on the site. The facilities shall be installed prior to the development coming into first use and maintained as approved thereafter.

Reason: To secure adequate facilities in relation to the proposed development and to promote the sustainable modes of travel, whilst providing adequate security measures, having regard to Policies CP7 and CP10 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C5 and JP-C7, the Access for All Supplementary Planning Document and the National Planning Policy Framework.

10. Any reserved matters application in respect of layout shall include details of parking for Heavy Goods Vehicles and private vehicles, including cars and motorcycles associated with each specific unit on the site. This shall be accompanied by detailed swept paths analysis for Heavy Goods Vehicles across any site layout plan. Once approved, the provision shall be implemented in full accordance with the agreed details and shall be maintained as approved thereafter.

Reason: To provide adequate information to assess the impact of the development on internal access roads within the application site, and to ensure sufficient parking provision is provided, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1 and JP-C7, Replacement Wigan Unitary Development Plan Policy A1S and the National Planning Policy Framework.

11. Notwithstanding the approved parameters plans ~~A~~.....any reserved matters application submission in respect of landscaping shall include

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the provision of native tree planting and avoid the overuse of Birch and Sallow. The details of which shall be provided within a full landscape scheme for the development, or the relevant phase of the development ~~including new trees of a minimum girth of 12-14cm~~, together with an implementation and management plan to also factor in on-site biodiversity gains.

Reason: To provide adequate mitigation and to enhance the setting of the development, having regard to Places for Everyone Joint Development Plan Policies JP-G6 and JP-G7 and the National Planning Policy Framework.

12. Any reserved matter application submission in respect of layout, shall be accompanied by updated drainage information which sets out the protection of existing water features such as ditches across the application site. The approved measures shall be implemented in full accordance with the agreed details only during the construction phase and operational phase of the development.

Reason: To protect existing environmental features across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

13. Any reserved matters application submission in respect of layout and landscaping, shall be accompanied by an updated Badger and Bird Survey, in the event the submission is made more than 2 years after the dates of the original surveys accompanying the outline application, together with any necessary mitigation and reasonable avoidance measures.

Commented [SR2]: Surveys last for 2 years

Reason: The information is required for the assessment of layout under a reserved matters submission, to protect protective species across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

14. All new buildings approved as part of any reserved matters application shall be designed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (32542-ELDS) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating 'Excellent'. Within ~~6~~24~~18~~ months of completion, written

evidence shall be provided to the Local Planning Authority confirming the building(s) are being operated to the 'Excellent' BREEAM rating.

Reason: To ensure the development is low carbon based, in accordance with Wigan Local Plan Core Strategy Policy CP10, Places for Everyone Joint Development Plan Policy JP-S2 and the National Planning Policy Framework.

15. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

    - Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

    - Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;

    - Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;

    - Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;

    - Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and

    - A list of contact details during development.

    The development shall be fully undertaken in full accordance with the approved AMS at all times thereafter.

Reason: The works are fundamental to site preparation, to safeguard the health of existing trees on the site and biodiversity, having regard to Policies JP-G1, JP-G2 and JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

16. Prior to the commencement of development, details of a sustainable surface water drainage scheme ~~and a foul water drainage scheme~~ shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

    (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
    (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
    (v) Foul and surface water shall drain on separate systems.

    The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Commented [SR3]: This is covered in the following condition

Reason: The details are fundamental to the drainage strategy for the development, having regard to flood risk, pollution and management in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

17. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use

until the unit has been connected to the completed approved foul drainage scheme.

Reason: The detail is required as it is fundamental to the drainage strategy for the development, in accordance with Policy CP16 of the Wigan Local Plan Core Strategy, Policy JP-S4 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev BA), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

Reason: The details are necessary since they are fundamental to the site preparation works and form of the development and to ensure that any contamination is investigated and treated during the carrying out of the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

19. No development shall take place, with the exception of site clearance, until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

    -Measures to ensure the owner and contractors work directly with local employment and training agencies;
    -Targets for employing local labour;
    -Targets for work experience opportunities;
    -Measures to provide training opportunities in respect of any new jobs created; and
    -Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

20. Prior to the commencement of development, relevant to each reserved matters phase, a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

    - Measures to ensure the owner and contractors work directly with local employment and training agencies;
    - Targets for employing local labour;
    - Targets for work experience opportunities;
    - Measures to provide training opportunities in respect of any new jobs created; and
    - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

    The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

Reason: The details are fundamental to the development, to encourage and promote training and employment opportunities for local people through the construction of the development, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

21. Prior to the commencement of any development hereby approved, save enabling and ~~phase 2~~ ground ~~survey~~investigation works, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2") and vibration impacts. The approved scheme shall ~~be~~

~~implemented~~be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced and shall be maintained for the duration of the construction works.

Reason: The details are fundamental to site preparation works in order to protect the surrounding environment from potential harm, having regard to noise, dust and vibration, vehicle movements and general activity which may cause harm to the environment, in accordance with the requirements of Policy CP17 of Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan and the National Planning Policy Framework.

22. No removal of or works to any hedgerows, trees or shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been provided and agreed in writing by the Local Planning Authority.

Reason: To protect the ecological value of the site, particular nesting birds, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

23. With the exception of enabling works, including ~~phase 2 site~~ground investigation ~~survey~~ works, ~~P~~prior to the commencement of development, including earthworks or the clearance of vegetation, an updated Ecological Construction Environmental Management Plan (ECEMP) associated with workings on the site, in related to mammals and amphibians shall be submitted to and approved in writing. The ECEMP shall set out necessary mitigation measures for the protection of mammals and amphibians, together with the timing, implementation and management of such measures. The agreed document shall be implemented in full accordance with the agreed details only.

Reason: The details are fundamental to site preparation works to protect natural wildlife across the development site, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

24. Prior to the commencement of any earthworks taking place across the development site, a survey for invasive plant species including Japanese knotweed shall be carried out across the site, and the findings submitted to and agreed in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures shall also be supplied to and agreed in writing by the Local Planning Authority. The method statement shall be implemented in full accordance with the agreed measures only.

Reason: The information is fundamental to the development, to remove potential contamination across the site and prevent the spread of any invasive species in accordance with Policy CP17 of the Wigan Local Plan Core Strategy and the objectives of the National Planning Policy Framework.

25. Prior to the commencement of development, including tree felling and earth movement, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS shall be accompanied by an updated Bat Survey, together with reasonable avoidance and mitigation measures, where necessary, and should be included as an ecological input to inform contractors, having regard to ECEMP pursuant to condition 22. The PWMS shall be implemented in full accordance with the agreed details only, throughout the duration of the construction works, up until completion of the development.

Reason: The information is fundamental to the development, to protect protective species across the development site, which have been identified in the supporting planning documents, having regard to Policy JP-G8 of the Places for Everyone Joint Development Plan Policy and the National Planning Policy Framework.

26. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, with 10% net gain in biodiversity to be achieved in relation to the on site base habitat position prior to the commencement of development, including enabling works, and ground investigation works, and shall include: ~~and shall include:~~

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· Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
· The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
· The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
· A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:
(a) Description of all habitats to be created/enhanced with the scheme including expected management condition and total area
(b) Review of the ecological constraints;
(c) Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
(d) Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
(e) Identification of the persons responsible for implementing the works;
(f) A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
(g) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
· All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.
· The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

27. With the exception of enabling works, including ground investigation works Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records

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Commented [MJ4]: Is this necessary, silent condition would address this requirements. BNG plan is required to be discharged in full prior to commencement of works across the site.

Commented [MJ5R4]: But happy for it to be retained.

Commented [SR6R4]: Okay to delete the condition and for this to be added as an informative

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~~26.No development shall take place until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared in accordance with the approved~~ Biodiversity Gain Plan ~~and include:~~

~~a) a non-technical summary;~~

~~b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;~~

~~c) the planned habitat creation and/or enhancement works to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;~~

~~d) An implementation programme setting out details of the timescale for carrying out the planned habitat creation and/or enhancement works;~~

~~e) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from substantial completion of the development hereby approved; and~~

~~f) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.~~

~~The approved HMMP shall be implemented in full and written notice shall be given to the Local Planning Authority when: a) the HMMP has been implemented; and b) the habitat creation and/or enhancement set out in the HMMP has been completed.~~

Commented [SR7]: The council has suggested a standard condition that does not directly reflect the circumstances of the application - the applicant has suggested two conditions that provide greater clarity and control relating to BNG

Commented [MJ8R7]: See above

Reason: To ensure the development delivers a biodiversity net gain on site, having regard to Schedule 7A of the Town and Country Planning Act 1990, Policy CP17 of the Wigan Local Plan Core Strategy, Policy JP-G8 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

~~27.~~28. The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	38~~6~~dBA
Night time	Monday to Sunday	23:00 to 07:00	30~~29~~dBA

Commented [MJ9]: Why have levels been changed. This is required as per the consultation with the EP Officers.

Commented [MJ10R9]: Can you point out where in the Noise Assessment these figures are?

Commented [SR11R9]: Table 5 on page 9 of the Acoustic Assessment Report

Extended Garden/Allotments (Bolton Road and Bryn Road)
Monday to Sunday 07:00 to 23:00 $L_{A90,T}$ (Representative) +0dB dB(A).
Measured in free field.

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from all building services plant and equipment fixed plant at the development site, at the nearest noise sensitive properties to the site.

Daytime	Monday to Sunday	07:00 to 23:00	33dBA
Night time	Monday to Sunday	23:00 to 07:00	25dBA

Reason: To protect the amenity of the surrounding area, and nearest noise sensitive land uses from potential adverse noise arising from the development, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~28.~~29. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Reason: To promote sustainable modes of transport, optimising travel arrangements to and from the development site, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

~~29.~~30. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle (EV) Infrastructure Strategy and Implementation Plan shall be submitted to,

and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The EV charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

Reason: To enhance air quality and provide alternative methods of power to promote sustainable modes of transport, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Replacement Wigan Unitary Development Plan, Places for Everyone Joint Development Plan Policy JP-S5 and the National Planning Policy Framework.

~~30.~~31. Prior to first use of any development hereby approved, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. Once, approved, the NMP shall be adopted by all end users to ensure compliance with noise levels as set out in condition 27.

Reason: To ensure the noise limits as set out in condition 21 are achieved to protect the amenity of the surrounding area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and the National Planning Policy Framework.

~~31.~~32. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odors (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan

Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

~~32.~~33. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

Reason: To protect the surrounding amenity of the area, having regard to Policy CP17 of the Wigan Local Plan Core Strategy, and saved Wigan Replacement Unitary Development Plan Policy EV1B and the National Planning Policy Framework.

~~33.~~34. No development hereby approved shall be brought into first use, until the vehicle access provision from Lockett Road, into the application site as shown on plan reference - Site Boundary Plan with Proposed Site Access Arrangement Ref 3578-F01 Rev A and Proposed Site Access Plan Ref 3578-F05 Rev B up to and including the application site's north east boundary has been implemented in full.

Reason: For the avoidance of doubt, and to ensure safe and convenient access is provided into the application site from Lockett Road, safeguarding ~~ensuring~~ a connection to the wider Primary Employment Area land allocation, having regard to Policy CP7 of the Wigan Local Plan Core Strategy, Places for Everyone Joint Development Plan Policies JP-P1, JP-C1, JP-C3, JP-C5 and JPC7 and the National Planning Policy Framework

35. No development hereby approved shall be brought into first use, until improvements to the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction has been implemented in full accordance with a scheme previously submitted and approved by the Local Planning Authority.

36.

~~34.~~Prior to the commencement of any development hereby approved, save enabling and ground investigation works, an implementation plan and timetable for the delivery of the Split Cycle Offset Optimisation Technique (SCOOT) of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction shall be submitted to and approved in writing by the Local Planning Authority. The highway works detailed

Commented [SR12]: As per para 98 of the Inspector's decision letter re Glenbrook

Commented [SR13]: This ensures that the developer funds those works but is not constrained by the highway authority's ability to implement

Commented [MJ14R13]: To provide flexibility, and to avoid any delays in the submission of the scheme prior to the development coming into first use.

Commented [SR15R13]: Gareth indicated that submission of the scheme could include the timetable for entering into a s278 with the highway authority. That is acceptable, but the developer should not then be reliant upon the third party (i.e. the highway authority) to ensure that the SCOOT is implemented

shall be completed in full, and in full accordance with the approved implementation plan timetable.

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Reason: To provide necessary road junction improvements, having regard to the flow of traffic movements in the area of the development, in accordance with Local Plan Core Strategy Policy CP7, Places for Everyone Joint Development Plan Policies JP-C1 and JP-C7 and the National Planning Policy Framework.

From: [redacted]
[redacted]
Subject: A/24/97381/OUTMAJ - Ashton Park, Land Off Lockett Road, Ashton in Makerfield
Date: 09 January 2025 11:14:00
Attachments: 2000 REV D LOCATION PLAN (red line plan).pdf
2005 RevF PARAMETERS.pdf
3578-F07 Rev A.pdf
3578-F05 Rev B.pdf
Site acess detail 3578-F05 Rev A.pdf

HI [redacted]

Thank you for your time yesterday on the Lockett Road Application, Ashton reference - A/24/97381/OUTMAJ, which is an outline application with access.

I spoke with the Planning Agent and Applicant yesterday following our discussions are your suggestion of sharing their Counsel opinion with the Appeal Site parties (Glenbrook). Both were hesitant to share, and I have received an email this morning confirming they do not think it is necessary or appropriate for the Council to share the Walker Morris advice with Glenbrook and are not willing to grant consent to do so, stating that it is for the Council to determine whether it wishes to share its own legal opinion. Based on their response, does this rase any concern with you, and if so why? If not, the Council will move to delegated approval based on the discussions within the meeting.

In addition, the developer has amended two plans, these are the access arrangements from Lockett Road, showing part of the internal road up to the north boundary, show on plans, 3578-F07 Rev A, and 3578-F05 Rev B. The last attached plan was the original submitted access arrangement (Rev A).

The amended plans forms an extension of the footway and road up to the northern boundary, to align with the parameters plan on this boundary. We do not consider there is a requirement to re-consult, but would be grateful for your view on whether any re-consultation should take place? The applicant has submitted this based on the wording of the Appeal Decision, and email correspondence from our AD, but we are just conscious this application is not particular relevant to the requirements of condition 5 as set out in the Appeal Decision, and can it be justified to extend the access up to the northern boundary to correspond with the parameters plan. It is the intention to approve the first 4 plans (not F05 RevA).

If you can provide brief email response, that will be sufficient, alternatively, I am more than happy to facilitate a Teams Call to run

through the queries and plans.

I would be grateful if you could provide a response as soon as possible, as we are aiming to move to a delegated approval within the next week or two.

Thank you in advance.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

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NORTH

Rev	Description	By	Chkd	Date
D	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	JB	JW	
C	RED LINE UPDATED FOLLOWING CLIENT COMMENTS		JW	
A	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	.	JW	

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

LOCATION PLAN

KPP ARCHITECTS

Lodge House
12 Town Street
Horsforth, Leeds LS184RJ

T : +44 (0) 113 2390460
E : architects@kpp-leeds.co.uk
W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:2500	A3	JAN'24	JB	JW

Status

PLANNING

KPP Job No **2387** Rev **D**

Number

2000

0m 25m 50m 75m 100m 125m 150m 175m 200m

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NORTH

HEIGHT ZONE MAXIMUM 22m (FFL : 54.785 +/- 0.5m)

PRIMARY ACCESS

PROPOSED ROADWAY

LANDSCAPING AND SUDS

ADJACENT SITE GRANTED OUTLINE PLANNING

Rev	Description	By	Chkd	Date
F	SCALE BAR INCLUDED			
E	RED LINE INCLUDED	JB		18.03.24
D	GENERAL UPDATES	JB		07.03.24
C	RED LINE UPDATED	JB		04.03.24
B	RED LINE UPDATED	JW		27.02.24
A	UPDATE TO SUIT COMMENTS	JB	JW	30.01.24

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

PARAMETERS

KPP ARCHITECTS

Lodge House
12 Town Street
Horsforth, Leeds LS184RJ

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W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:500	A0	JAN'24	JB	JW

Status

PLANNING

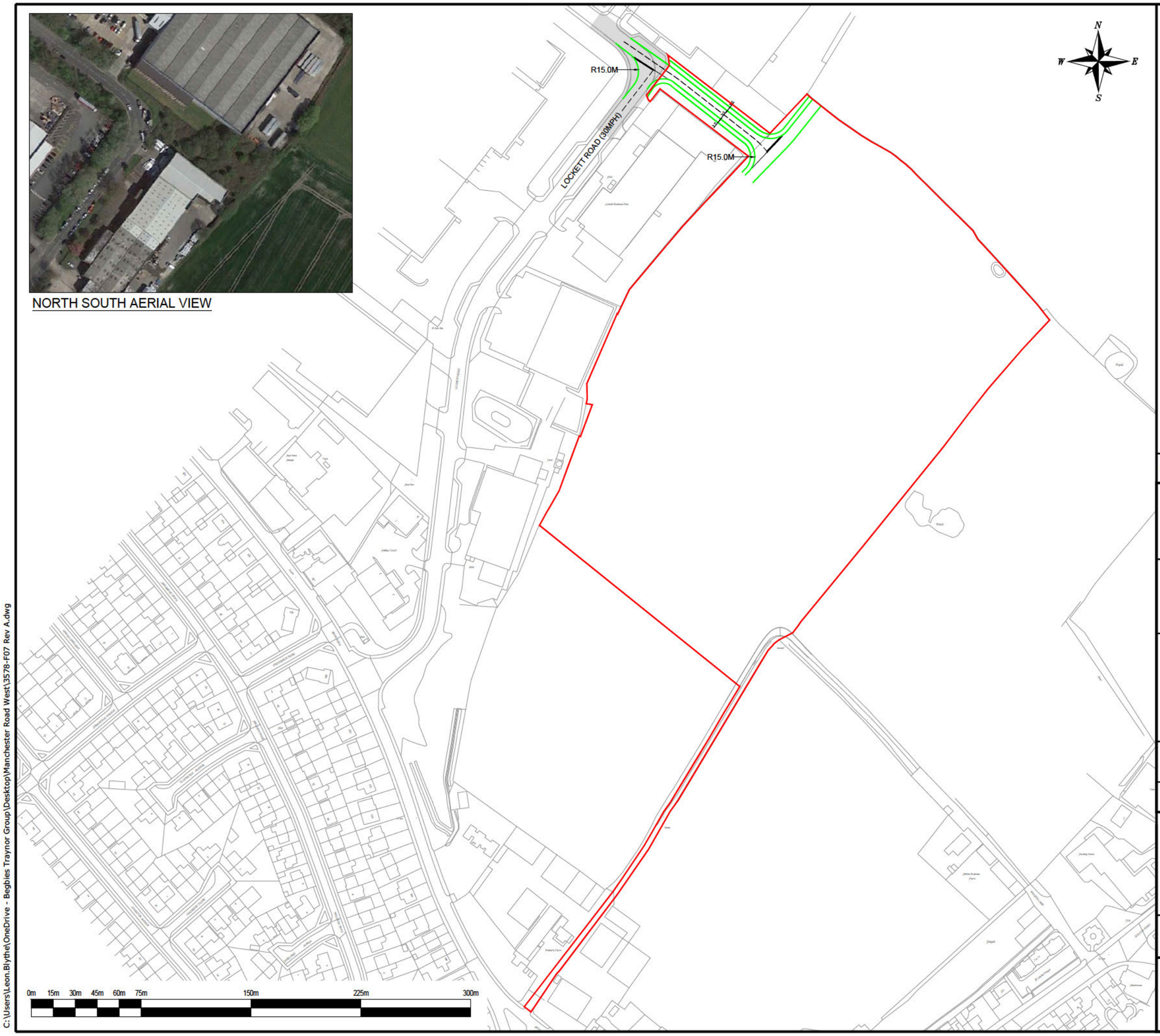
KPP Job No	Rev
2387	F

Number

2005

0m 25m 50m 75m 100m

NORTH SOUTH AERIAL VIEW



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DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha

REV	DETAILS	DRAWN	CHECKED	DATE
A	AMENDED ACCESS ROAD	LB	PJW	DEC 24

CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

SITE BOUNDARY PLAN WITH PROPOSED SITE ACCESS ARRANGEMENT

SCALES:

1:2500 @ A3

DRAWN:	CHECKED:	DATE:
SL	TSB	JUN 2024

Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY

Email: info@croftts.co.uk
Tel: 0161 837 7380
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DRAWING NUMBER:	REVISION:
3578-F07	A

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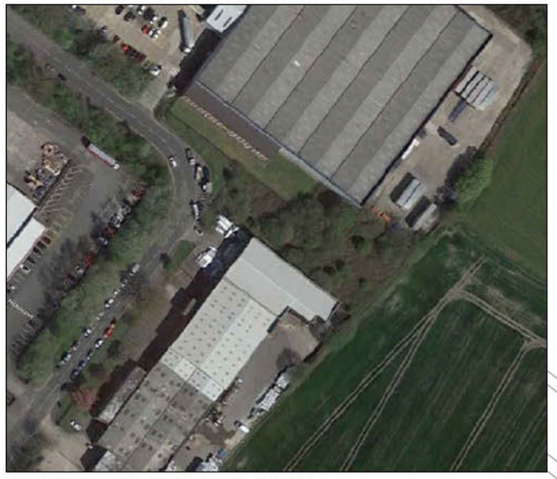

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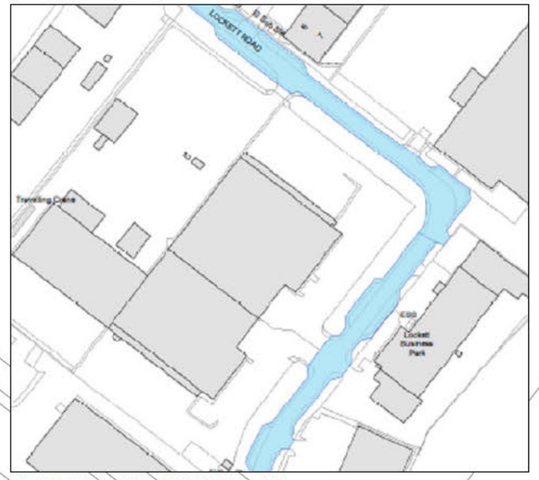
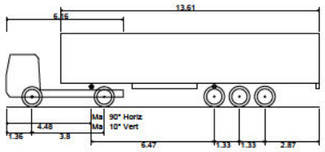


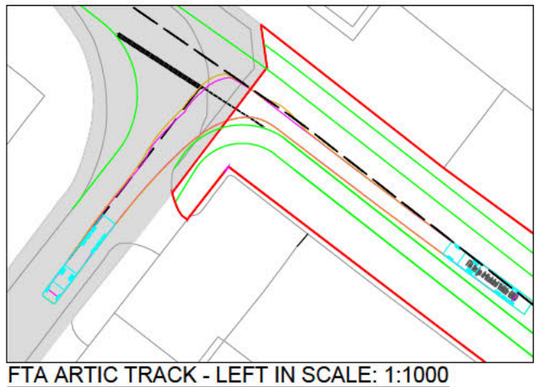
ADOPTED HIGHWAY PLAN



FTA Design Articulated Vehicle (2016)

Overall Length	16.480m
Overall Width	2.550m
Overall Body Height	3.870m
Min Body Ground Clearance	0.515m
Max Track Width	2.470m
Lock to lock time	3.00s
Kerb to Kerb Turning Radius	6.600m

FTA VEHICLE PROFILE



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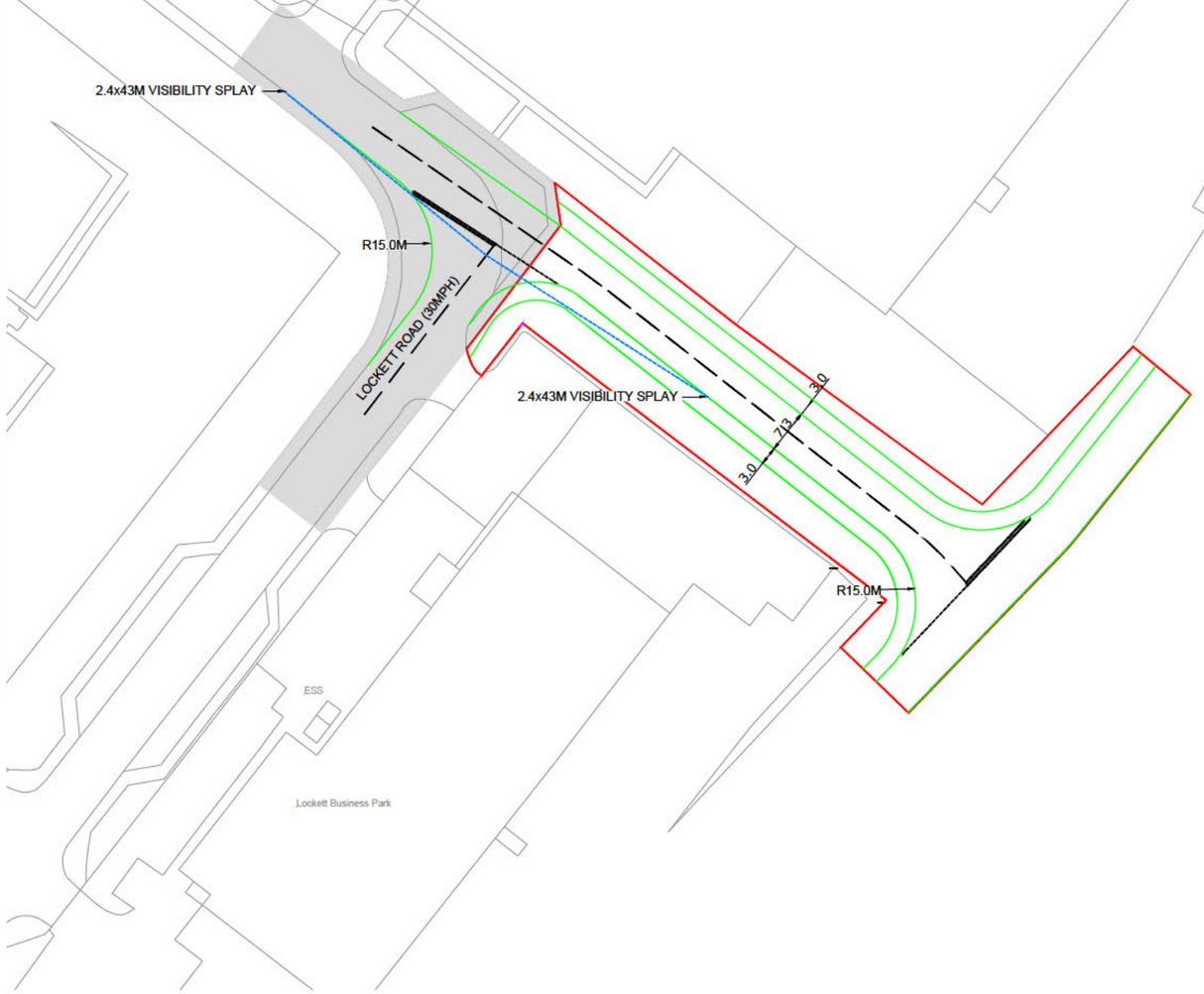

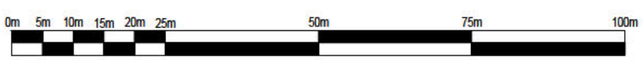

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LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha

REV	DETAILS	DRAWN	CHECKED	DATE
B	AMENDED ACCESS ROAD	LB	PJW	DEC 2024
A	SCALE BAR ADDED	SL	TB	JUN 2024

CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

PROPOSED SITE ACCESS PLAN

SCALES:

1:1000 @ A3

DRAWN:	CHECKED:	DATE:
GM	TSB	FEB 24

Croft Transport Planning & Design
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DRAWING NUMBER: 3578-F05

REVISION: B

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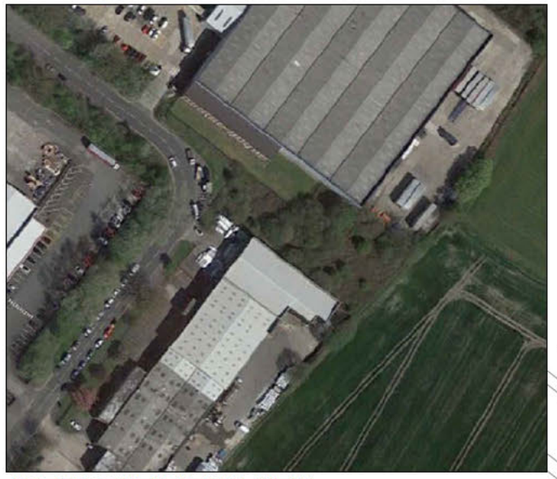

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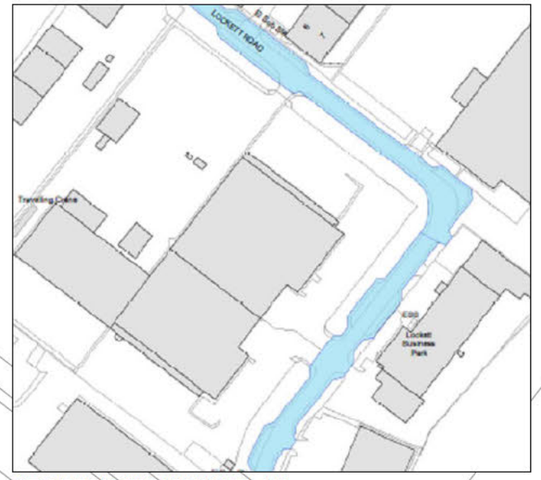
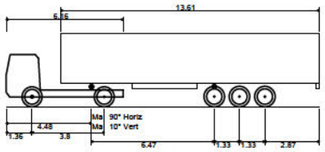


ADOPTED HIGHWAY PLAN



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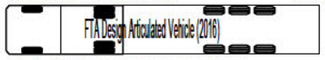

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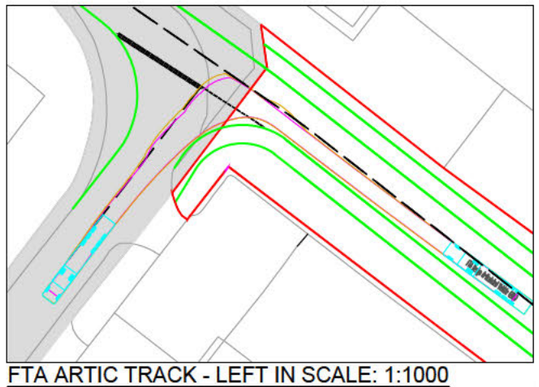

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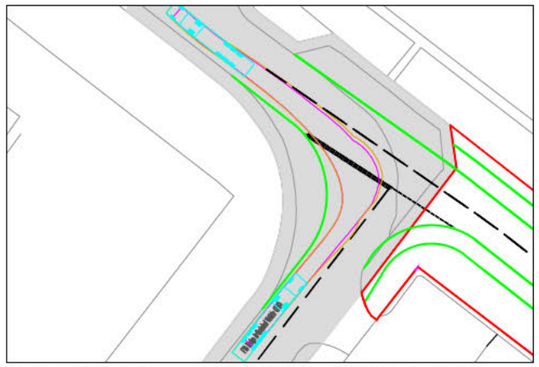

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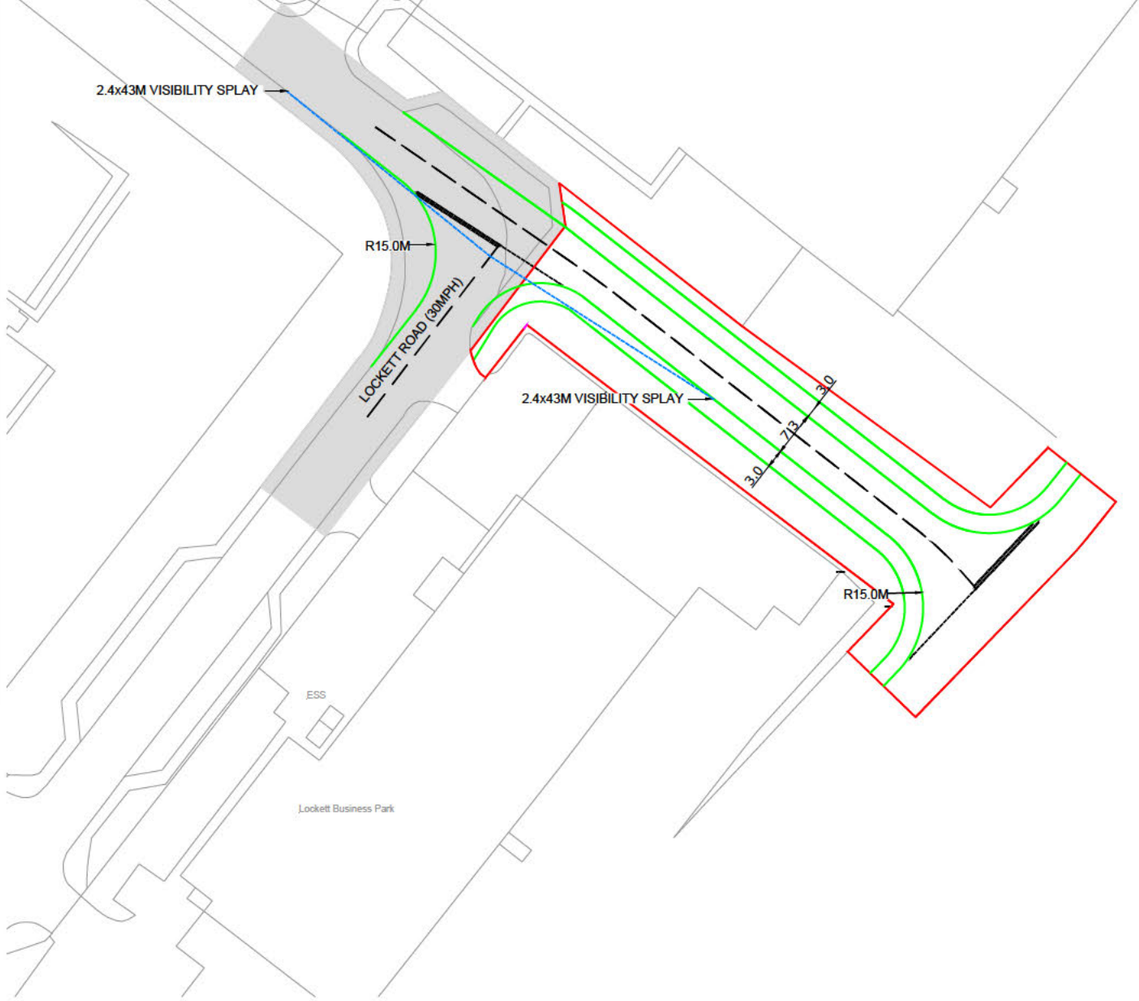

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CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

PROPOSED SITE ACCESS PLAN

SCALES:

1:1000 @ A3

DRAWN:	CHECKED:	DATE:
GM	TSB	FEB 24

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DRAWING NUMBER: 3578-F05

REVISION: A

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From: [redacted] Proctor, David
Subject: Legal Advice - Planning Condition 5 - Application A/21/92036/OUTMAJ
Date: 17 December 2024 12:14:00
Attachments: Approved Application - 92036.zip
Application Package - 97381.zip
3578 - 16th Dec 2024 minutes.pdf
Importance: High

Hi [redacted]

I have an extremely urgent request for Legal Advice.

The Legal Advice is regarding the interpretation of a planning condition (reference condition 5) of approved outline planning application reference – A/21/92036/OUTMAJ – South Lancs Appeal, which you attended, together with [redacted]. The advice is sought by the end of this week.

The wording of the planning condition has consequences on the development of the Primary Employment Area (PEA) Land, regarding both future reserved matters applications and links with the remaining PEA land, which is currently under the consideration of a pending outline application for Industrial Led Development, under application reference - A/24/97381/OUTMAJ.

To summarise, there is a disagreement between the applicant of the pending outline application (A/24/97381/OUTMAJ) and the Local Authority on the wording and interpretation of the condition and the position for a road connection between the two sites. The disagreement is summarised in the Meeting Note provided by the applicant within the attached folder 97381.

The Council are of the opinion that the access road link between the consented scheme and remaining PEA land to the north west as worded in the planning condition refers to the northern point along the north west boundary of the site, and not that as shown on the parameters plan of application reference – A/24/97381/OUTMAJ. The approved parameters plan does not show an approved access along the adjacent PEA boundary, however the intention was based on the application submission, as set out in the Illustrative Masterplan. The wording is slightly convoluted, and therefore a legal view could add weight to how the application is progressed and determined. In addition to the above, I can confirm the Council is not in receipt of any reserved matters application at this time linked to the consented scheme.

To assist I have attached two folders containing relevant information to assist with the above query. I have also added some recent minutes of a meeting held yesterday between the applicant, me and Gareth.

92036

- Planning Inspectors Decision Notice;
- Approved Extended Location Plan;

- Approved Parameters Plan;
- Illustrative Masterplan, which does not form part of the approved plans list.

97381

- Application Form;
- Site Location Plan;
- Parameters Plan;
- Indicative Site Layout Plan;
- Planning Statement
- Meeting Note provide by the Applicant dated:

A Teams Meeting is probably considered to be necessary to clarify the above question regarding the interpretation of the planning condition and I will be happy to facilitate a meeting. Please note my last working day in the office is Friday this week – 20th December.

Kind Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

PROPOSED EMPLOYMENT DEVELOPMENT,
LOCKETT ROAD, ASHTON IN MAKERFIELD
NOTES OF MEETING BETWEEN CADDICK AND WIGAN COUNCIL – DECEMBER 2024

Date – 16th December 2024

Venue – on Teams

Attendees:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted].
- [redacted]

RM started the meeting to GJ following the meeting between Caddick, Ryan & May, Eddisons and Wigan Council on 11th December 2024.

GJ explained that he had spoken to MJ regarding the meeting but not spoken to Steven Riley at Wigan Highways.

GJ did not want to approve the submitted Parameters Plan and felt that approving the red edge and the vehicular access arrangements was sufficient and reiterated MJ's view that a connection to the adjacent Glenbrook site and that it should be provided at the south-eastern corner of the Caddick site, according to Condition 5 of the Glenbrook approval.

RM responded that our interpretation of the condition is that the connection between the Glenbrook and the Caddick site is in the same place as our access and potential link is shown, on our access plan and the parameters plan. This safeguards the potential link between the two sites in the future. The imposition of the link road connection towards the south-eastern corner of the Caddick site would add unnecessary cost to the scheme in the form of new road, loss of floor space and car parking areas.

GJ then said he didn't see why the Parameters Plan should be approved.

RM responded by saying that it should be approved because of its inclusion in the planning application submission and its for the local planning authority (ie Wigan) to say why it shouldn't be. This is also the first time that this had been raised (in the meeting of the 11th December) since the application was submitted in June. Caddick need the clarity for potential occupiers that the Parameters Plan provides.

GJ agreed to discuss this matter with David Proctor and revert back to Caddick this week.

RM then discussed the matter of Condition 5 from the Glenbrook appeal decision and the interpretation of where the link should be.

Red edge plans were shared on screen of both the Caddick and Glenbrook sites.

RM confirmed that the northern/north-western boundary is unequivocally the location where Caddick have shown their access arrangements and the potential link road connection. RM confirmed that Caddick would not concede on this matter given its clarity within the Glenbrook appeal decision.

GJ then confirmed that the condition is something Wigan Council would like but it wouldn't form a reason for refusal of the Caddick planning application as they could not. GJ did say that there were other matters outstanding.

RM asked what these were as he was of the view that nothing else was outstanding and that Caddick require a definitive position from Wigan Council in writing and what, if anything, they would refuse planning permission on.

GJ then raised the matter of BNG and a discussion followed.

GJ was of the view that Wigan Council could not accept a condition (if there was any possibility of 'Significant' BNG being delivered on site) and have had legal advice on this matter.

RM asked to see this and said the position was unreasonable given the current offered condition provides Wigan Council with a commitment for 10% BNG.

RM confirmed that if a Section 106 was required then it would take 3 to 4 months to agree.

GJ said that this could be sped up with the Council writing up that specific clause and a UU would be acceptable.

DBB stated that if Caddick committed to provide all BNG off site then the condition would cover what it needed to.

MJ/GJ agreed, but re-iterated their view that if there was any possibility of BNG being delivered on site that had to be explored and then covered by a s.106 monitoring obligation.

GJ asked RM if Caddick needed a response in writing to confirm the Council's position.

RM said they do.

GJ agreed to speak to David Proctor and that DP would speak to Caddick/RM this week.

GJ/TP agreed that a delegated decision on the application by mid-January would be acceptable in the circumstances.

Meeting ended.

The Planning Inspectorate

Appeal Decision

Inquiry Held on 31 January, 1, 2, 3 February 2023
Site visit made on 31 January 2023

by [redacted]

an Inspector appointed by the Secretary of State

Decision date: 5th May 2023

Appeal Ref: APP/V4250/W/22/3307710
Land southeast of South Lancashire Industrial Estate, Lockett Road, Wigan WN4 8DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Glenbrook Industrial Ltd against the decision of Wigan Metropolitan Borough Council.
- The application Ref A/21/92036/OUTMAJ, dated 8 July 2021, was refused by notice dated 27 April 2022.
- The development proposed is an outline planning application with details of means of access (partial details of access and details of scale, layout, appearance and landscape are reserved) for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road off Bolton Road and associated works.

Decision

1. The appeal is allowed and planning permission is granted for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road off Bolton Road and associated works at Land south east of South Lancashire Industrial Estate Lockett Road Wigan WN4 8DE in accordance with the terms of the application, Ref A/21/92036/OUTMAJ, dated 27 April 2022, subject to the conditions in the conditions annexe at the end of this decision.

Preliminary matters

2. The above address is taken from the application form, but the proposed site access would be off Bolton Road rather than from Lockett Road.

3. The application is in outline with all matters except access reserved. Details of the proposed access onto Bolton Road were provided but not for the rest of the access road through the site, which I return to latterly. A Land use and Building Heights parameters plan was submitted for consideration at this outline stage and a compliance condition is suggested by the Appellant. An illustrative masterplan was also submitted but I have only considered this as titled.

4. The Section 106 agreement signed on 22 February 2023 makes provision for improvements to the existing right of way to the southwest of the site, travel

plan monitoring, bus stop improvements on Bolton Road and off-site biodiversity enhancement measures at Westwood Flash SBI[1]. I consider the agreement latterly.

5. Keep Ashton Green (KAG) participated in the Inquiry as a Rule 6 Party.

Main Issues

6. At the Case Management Conference[2] (CMC), the Council clarified that the reason for refusal related to the effect of the proposal on the operation of the local road network, in particular congestion, with inadequate mitigation proposed. The Statement of Common Ground on highway matters confirms that the Council had no objection on safety grounds.

7. KAG raised pedestrian safety at the CMC, and I also include this as part of the main issue on the operation of the local road network.

8. Part of the appeal site is within the Greater Manchester Green Belt. Whilst the Council did not object to the proposal on the basis that it conflicted with Green Belt Policy, nonetheless, it is a particular consideration in relation to the National Planning Policy Framework (the Framework) which I am obliged to consider.

9. I therefore consider that the main issues are:

- the effect of the proposal on the openness of the Green Belt and whether any harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal; and

- the effect of the proposal on the operation of the local road network, in particular congestion and pedestrian safety, notwithstanding the mitigation proposed.

Reasons

Green Belt

10. The appeal site was allocated as employment land in 1996 as part of a larger development. The northern part of the allocation has been developed and is accessed off Lockett Road. However, that access has not been extended into the appeal site and I am advised that this would be at the behest of another landowner. The inability to achieve access from the northern part of the site has meant that the appeal site has not been developed. This proposal seeks an alternative access to the south, off Bolton Road.

11. The Council[3] mapped the boundaries of the appeal site and the Green Belt. The Bolton Road junction, the access road, drainage ponds and associated landscaping would be within the Green Belt boundary whilst the substation and other buildings would be outside. The road junction works also include a pedestrian pavement extension along Bolton Road[4], which would be within the boundary of the Green Belt.

[1] Westwood Flash SBI as stated in definitions of legal agreement
[2] Case Management Conference note for 7 December 2022
[3] Council Statement of Case Appendix A
[4] S278 General Arrangement

12. Policy CP8 of the Wigan Local Plan Core Strategy (CS) makes reference to the Green Belt but largely defers to national policy, which is the Framework. Paragraph 137 refers to the essential characteristics of the Green Belt being openness and permanence.

13. The Greater Manchester Green Belt Assessment 2016 was undertaken by landscape consultants on behalf of the Councils within the Manchester Green Belt including Wigan. This considers how the designation contributes to the area in terms of national policy. The Assessment finds that for this area, sprawl has been generally avoided, merger of settlements has been prevented but the designation has been weak in terms of encroachment of development.

14. Paragraph 150 of the Framework acknowledges that engineering operations and local transport infrastructure may not be inappropriate in a Green Belt location. It also requires that engineering operations and local transport infrastructure preserve the openness of the Green Belt and do not conflict with the purposes of including land within it

15. The proposed drainage pond, road, footway and junction would be engineering operations due to the nature of the works involved. The Glossary to the Framework does not provide a definition of 'local transport infrastructure'. However, the proposed access road would be built to adoptable standards for vehicles as well as cyclists and pedestrians.

16. The wording in the Framework is very generalised and the proposal is a locally orientated road for all modes of transport. I therefore find that the proposal constitutes engineering operations and local transport infrastructure.

17. Paragraph 150 also has a criterion that such works demonstrate a requirement for a Green Belt location. The appeal site is a long standing substantial employment allocation which has not been implementable due to land ownership. I find that the now intended access through the Green Belt would be necessary.

18. Paragraph 138 of the Framework describes the five purposes of the Green Belt: check the unrestricted sprawl of large built up areas, prevent neighbouring towns merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and assist in urban regeneration.

19. The drainage pond would be low lying and potentially a naturalised shape which with boundary planting would allow it to be perceived as part of the landscape.

20. The pedestrian pavement extension would be adjacent to Bolton Road and would be perceived as part of it rather than an encroachment into the countryside.

21. I find that the drainage pond and pavement extension would preserve the Green Belt openness and do not conflict with the purposes of including land within it, so would not be inappropriate.

22. The access road would be likely to be lined by planting as indicated in the parameter plan which would be akin to new field boundaries. However, the

roadside surface together with the adjacent foot/cycleways would be 7.3m wide which would be unlikely to be wholly screened, particularly so when viewed from the point of the Bolton Road junction. Such a hard surface would be an encroachment into the Green Belt, although due to the size of the belmouth, the access would not have a significant impact.

23. In addition, the Planning Practice Guidance Green Belt[5] refers to the need to consider 'the degree of activity likely to be generated such as traffic generation'. The road would serve a substantial employment area leading to the presence of vehicles, in particular lorries. The movement, colours and texture of these vehicles would harm the sense of openness of the Green Belt.

24. The vehicles would not be a constant feature and would only be experienced for the moment when on the proposed access road. The vehicles would also be perceived from Bolton Road but that itself is a busy road. This would also limit the harm arising.

25. Some lighting would also be expected[6], and whilst the submitted lighting assessment foresees the hooding of lights and a condition is recommended to limit the spillage, some brightness is inevitable as that is the function of lights. Bolton Road has street lighting so from there lighting would only be marginal in its effect, but not so from the adjacent footpath, which is a dark landscape, although at times of darkness this would be expected to be used by very few people. The columns would be visible during daylight but would be expected to be slender. In these respects, the proposal would harm the visual quality of the Green Belt albeit this would be slight.

26. I find that the proposal would harm the Green Belt, by reason of inappropriate development, and it would also be contrary to Policy CP8. Whilst this harm would be very limited, nonetheless Paragraph 148 requires that substantial weight is given to any harm. Paragraph 147 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. I consider this latterly together with any other harms.

The effect of the proposal on the highway network

27. The reason for refusal refers to only one Development Plan policy: Policy CP7. This seeks to maximise the capacity, efficiency and safety of the road network reducing as far as practical the adverse impact of transport on communities, town centres and the wider environment.

28. The Council accept that the thrust of Policy CP7 is not higher than that of Paragraph 111 of the National Planning Policy Framework (the Framework). This states development should only be prevented or refused on highway grounds if there would be a new unacceptable impact on highway safety or the residual accumulative impact on the road network would be severe.

29. Both parties acknowledge the Hawkhurst judgement[7] whereby the test of a severe impact is whether the proposal would in itself create a severe impact.

[5] Paragraph: 001 Reference ID: 64-001-20190722
[6] Mr Page Proof of Evidence paragraph 7.3
[7] R (Hawkhurst PC) v Tunbridge Wells BC & Ors. [2020] EWHC 3019 Admin) at [138]

Highway characteristics of the area

30. The Council confirm their concern is not a safety consideration but one of congestion. Any congestion needs to be considered over the wide road network beyond the vicinity of the site access.

31. The site is on the edge of Ashton-in-Makerfield (Ashton), on the A58 Bolton Road from Wigan. This is a single carriageway which the Appellant suggests is 8.5m wide[8]. It traverses through the suburbs of Ashton into the town centre via several junctions with other roads which have traffic lights or priority junctions as well as pedestrian crossing points. I am advised that the timing of the traffic lights is set at 120 seconds delay which is unusually long to maintain the flow of traffic.

32. There are pedestrian pavements on both sides of this road and lighting which encourage walking. Similarly, there are bus stops serving various routes including Wigan to Ashton.

33. After several miles beyond the town centre and the far side from the appeal site, the A58 joins the M6 at junction 23. This junction has access in both north-south directions whereas the neighbouring junction, 24, to the north has restricted access.

The traffic generation of the proposal

34. The Councils' planning and highway officers agreed the Transport Assessment (TA[9]) at the planning application stage. The Council accept[10] that this is the only data before the Inquiry upon which a judgement can be made on the severity of impacts. However, at the Inquiry [redacted] on behalf of the Council disputed several aspects of the TA which I explore latterly.

35. The TA uses TRICS figures to determine the likely traffic generation, as requested by the Council at the planning application stage. However, in addition the Appellant undertook a manual count of traffic emanating from the adjacent industrial estate, which has very similar accessibility to the appeal site and type of employment proposed, and so is a valid comparison. The TRICS figures show a 1.5 times higher a.m. peak and 2 times higher p.m. peak than the manual count.

36. The TRICS figures are generic data for traffic generation, which is based on the size of the employment floorspace, whereas some traffic is on the road anyway due to out commuting for employment: there is to be expected an element of 'double counting' as people are currently travelling to work. The Wigan Local Plan Core Strategy[11] (Core Strategy) refers to out commuting from the area, which would be likely to be reduced by more local employment opportunities.

37. In addition, the TA also makes no allowance for the reduction in vehicles due to walking and cycling and car sharing which are promoted in the submitted travel plan.

[8] Paragraph 2.2.1 Framework Travel Plan
[9] [redacted] letter to PINS
[10] Council closing paragraph 21
[11] Paragraph 4.2 Wigan Local Plan Core Strategy, September 2013

38. Thus, I find that the traffic generation figures in the TA represent a worst-case scenario.

Congestion

39. The nearest junction to the appeal site is Bolton Road/Golborne Road. The Appellant acknowledges this is at near capacity and the proposed development would lead to exceedance. The appeal proposal includes provision for the signalisation of this junction and a condition is so proposed. All the parties accept that this would resolve the capacity issue at this point.

40. The overall traffic flow from the appeal site into the town centre has not been modelled, rather the TA calculates the change in flows at each junction, in 2024 for their a.m. and p.m. peaks. The TA's methodology and results were agreed by the specialist Council Officers at the application stage. The Council at the Inquiry did not submit their own evidence to quantify the delay at the junctions but instead relied upon the results in the TA.

41. Bolton Road/Bryn Road which is a signalised junction would be most affected by the proposal with an increase in flow of 11.1% a.m. peak and 8.4% p.m. peak. Gerard Street/Bolton Road also signalled controlled, is the next significant with increases of 7.7% a.m. and 6.2% p.m. The other junctions, Liverpool/Bryn Street and Warrington Road/Lily Lane would have lesser increases. The TA shows the increased traffic hold up and delay movement through each junction would be around a minute or less[12], which I find would be negligible.

42. The potential congestion as an accumulative delay also needs to be considered since that would be the overall effect on the highway. In cross examination of Mr Tucker, the Council asserted the accumulative delay would be 2 minutes 22 seconds at a.m. peak, based on the total of the delays from each junction as shown in the TA. [redacted] accepted that total although did state that it would be the worst case, which I return to shortly.

43. In the absence of any other submitted evidence to the contrary, I find that 2 minutes 22 seconds would be the total peak delay. Whilst any delay is a nuisance and annoyance, I conclude that this would not be significant.

44. Moreover, for longer journeys beyond the town centre, this delay would be a small component. The Appellant[13] reproduces times from 'Google' for a journey from opposite the appeal site through the town centre to the M6 junction 23, a distance of 2.4 miles. This is a representative route for through traffic. It is shown for a Monday and whilst this is a snapshot it is nonetheless based upon Google's extensive data research. The existing journey times are typically 12 minutes with 22 minutes at the morning peak. I find that the additional delay due to the proposal would not be significant.

45. In any event the 2 minutes 22 seconds delay, being the sum of the total delay at each junction, would be likely to be the worst case, as delay at one junction at traffic lights would open a gap at a subsequent junction which then would be utilised once that traffic has moved on. This was indeed the case on three of my four site visits which were at peak times.

[12] Transport assessment/ Mr Tucker Proof of Evidence
[13] [redacted] Proof of Evidence page 36. As measured at the Holiday Inn.

46. In addition, this delay would also be expected to be a worst-case scenario due to the reliance upon the TRICS figures, the assumption that the proposal would be all new drivers travelling to work and not counting the saving of out commuting as well as the benefits from the promotion of cycling, walking and car sharing in the Travel Plan.

47. The Council suggest that improving the Bolton Road/Golborne Road junction would release more traffic thereby potentially moving the congestion. Whilst more traffic would flow at any one time, the current delay at one of the worst points of the highway would be reduced, so that overall, a net benefit would be expected.

48. Similarly, KAG submitted several videos which showed stationary traffic at various points on Bolton Road. However, these were from single viewpoints which can only show snapshots of that part of the road at that particular time, so whilst the traffic may have stopped at that point, it may well be moving elsewhere on Bolton Road. The videos do not show that the delay would any greater than that of the 2 minutes 22 seconds above.

49. The Council at the Inquiry also argued that HGV rates into the town centre were underestimated as the signage consistently directs M6 southbound traffic through the town centre. However, the Appellant's uncontested evidence[14] shows even if all vehicles used the town centre route, the a.m. peak would be a further 14 vehicles/hour inward and 11 vehicles/hour outward. This would amount to an extra 9 vehicles/hour westbound and 7 per hour eastward. I do not find that this accumulatively would be significant.

50. The Council also suggested on street parking at both ends of the Bryn Road/ Bolton Road junction can obstruct the existing flow as it impairs 2 lanes from operating. However, I observed that the immediate areas of both sides of the junction have double yellow lines to restrict parking which would if enforced allow flow and in any event the proposal would not be significant.

51. The Council suggests the alignment of Bolton Road/Bryn Road South junction has an overly tight turning for HGVs. Whilst this is challenging, it nonetheless has been plotted and found feasible. Indeed, it is part of the adopted road network and used on an everyday basis by HGVs so any additional disruption from this proposal would be likely to be minimal, especially as the Council foresee most resulting traffic would go through the town centre rather than this route.

52. The M6 is the other side of Ashton from the appeal site. The junctions' capacity and the demand from this proposal were modelled. The Highways England had no objection and I similarly concur.

Peak spreading

53. The TA shows that the traffic would be distributed over a wider time and the proposal would increase the flow outside of peak hours.

54. The Council's concern is that peak time conditions would be prolonged, and the quieter times encourage residents to walk and allow shops to load goods.

[14] Mr Tucker paragraph 6.7.4 Proof of Evidence

55. However, I noted above that the delay at peak times would not be significant and therefore at other times it would also be insignificant. There may well be some residents who make a conscious choice to go out at quieter times, but no compelling evidence was submitted to demonstrate that such decisions are due to journey times.

Safety

56. The roadside footpaths provide dedicated and segregated routes for pedestrians, which are protected from any hazard on the carriageways. In terms of crossing the roads, there are defined crossing points at most of the desire lines across the A58. Whilst there is a 690m gap at one point, a pedestrian could make the decision to cross the road early.

57. There are a couple of primary schools between the appeal site and the town centre but generally they are away from the appeal site. Secondary schools are located the other side of Ashton from the appeal site. Thus, although some school children may well be walking in the vicinity of Bolton Road, the most likely school footfall would be expected to be concentrated away from the appeal site environs.

58. KAG reproduce statistics of incidents for the area, which are also considered in the Transport Assessment. Whilst the several incidents referred to are regrettable, these are few and do not appear out of the ordinary. No demonstrable evidence was produced to show that they are any different to any other suburban area.

59. The statistics also show the incidents are away from the intended site access, which indicates that the immediate environs are relatively safe. The site is within a 30mph limit, appropriate visibility splays[15] can be provided, and pedestrian crossing points are shown. The pavement extension would provide segregated access to the bus stops.

60. In addition, no evidence was submitted to the Inquiry to show that delay in traffic flow arising from the proposal would lead to poor driver behaviour, thereby harming safety of road users or pedestrians.

61. Whilst the existing traffic, including HGVs, may be noisy and obtrusive to the experiences of pedestrians, no demonstrable evidence was presented to the Inquiry that pedestrian safety would be jeopardised by the proposal.

62. The signalisation of the Bolton Road/Golborne Road junction would help pedestrian movements by formalising that crossing point.

63. I therefore find that the proposal would not harm pedestrian and highway safety. The Council confirmed that safety was not a concern and I similarly concur.

Conclusion

64. The mitigation measures proposed would be proportionate and appropriate to address the effects of the proposed development. The proposal would not be harmful to the operation of the local road network and accords with Policy

[15] 2.4 by 59m visibility splay.

CP7 in so far as it maintains the capacity, efficiency and safety of the road network, whilst minimising as far as practical the adverse impact of transport on the community and town centre. Similarly, the proposal would accord with paragraph 111 of the Framework in so far as it would not lead to an unacceptable impact on highway safety or lead to severe residual cumulative impacts on the road network.

Other matters

65. Air quality is a concern of many residents and Yvonne Fovargue, the local M.P. There is an air quality management zone 300m to the northeast. However, the Appellant submitted a study quantifying the existing situation and the air borne emissions from construction activity and traffic resulting from the operational development, at various receptor points in the area including the through roads in the town centre. The study showed that effects of the proposal would not be significant. This was considered by the Council's environmental health officer who had no objection and I similarly concur.

66. Local residents and the local M.P. also have concern about noise disturbance. A noise impact assessment was submitted at the application stage, to consider the effect on the living conditions of nearby residents. In accordance with its recommendations acoustic fencing is proposed around the edge of the development where it borders residential properties and noise limits on the boundaries are also suggested in terms of a condition. The land use and building heights parameters plan also shows an area of landscaping between the development and the rear gardens, which would provide separation. The Council had no objection on this aspect, and I similarly concur.

67. KAG and local residents referred to the loss of part of a coppice inside the eastern boundary of the appeal site. These are mixed species and immature, which the submitted Preliminary Arboriculture Impact Assessment categorises[16] these trees as largely C and U values, the lowest ratings. Some B valued trees would be lost but these are few and are away from public view. Part of the coppice would be retained and reinforced/replanted to form a 'robust screen' as part of the managed landscaped boundary around the site as shown on the parameters plan[17]. The above assessment identifies some trees have structural issues and there are others with ash dieback. The Council had no objection to the proposed tree removal, and I similarly concur.

68. Local residents also express concern about the effect on ecology. An ecological assessment has been submitted which did not find notable species or habitat. In addition, a safeguarding condition for final surveys prior to development is suggested and areas of landscaping are available for any potential mitigation. The proposal also makes additional provision for off-site biodiversity improvements to ensure that an overall biodiversity gain would be achieved. Accordingly, I find that the proposal would not be harmful.

[16] Criteria provided in BS 5837:2012
[17] Notation in landscape strategy proposals. The landscaped area is shown in the land use and building heights parameters plan for consideration at this stage.

69. Several objections have been made about the loss of opportunities for dog walking and recreation use, which has health and well-being benefits for local residents. However, with the exception of peripheral footpaths which would be maintained, there are no public rights of access across the site.

70. There is also comment about the potential impact on the landscape. The new buildings would be located within sight of the adjacent existing development on three sides and would appear part of the settlement. On the open (east side) the main focus for views is towards the open countryside rather than the appeal site. Consequently, in principle the presence of buildings would not harm the landscape and their design and landscaping would be subject of consideration at the reserved matters stage.

71. Comments have been made about inadequate parking provision however the layout at this stage is indicative only and the Council's standards would need to be considered latterly in the detailed layouts at reserved matters stages[18]. Flooding is also raised but the site is within Zone 1 which is the lowest area of risk. Surface water run-off could be suitably attenuated so that there is no significant risk to the surrounding area.

Planning Obligation

72. The 2010 Community Infrastructure Levy Regulations (CIL) and Paragraph 57 of the Framework, provide the tests for planning obligations. They should only be sought where they are: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

73. The legal agreement has a blue pencil clause[19] for an offsite highway contribution whereby that can be struck out if I am not so minded in terms of the above tests.

74. At the application stage, it was agreed that the Section 106 agreement would provide funding for additional road markings at junction 24 of the M6 to help direct traffic and improve flow. Subsequently the Tritax Symmetry Ltd proposal[20] was allowed and made such provision, so this was no longer required from this proposal. The Council sought to instead seek a £227,500 'Off site Highways Contribution' for works elsewhere. The Appellant argued at the Inquiry that such measures are not compatible with the CIL tests.

75. The CIL Compliance Statement submitted 1 February 2022 sets out the 'Off site Highways Contribution'. This includes greening the town centre which would not be related to congestion. In addition, the other potential measures include a review of TRO[21], signage and road marking, pavement build outs and pedestrian improvements which were not clearly demonstrated to be needed for safety as a result of this proposal and I have found that the proposal would not significantly exacerbate congestion. Accordingly, I do not find that the 'Off Site Highways Contribution'[22] meets the CIL regulations in that it is not necessary or reasonably related to the proposal.

[18] Paragraph 4.4.1 of the Transport Assessment
[19] A blue pencil clause allows certain provision(s) in an agreement to be struck out whilst other provision(s) may be found to be enforceable.
[20] A/18/85947 and APP/V4250/V/20/3253242
[21] Traffic Regulation Order
[22] Schedule 2 contributions clause 3

76. Whilst some biodiversity measures would be achieved on site, they would be supplemented by provision of £125,000 towards ecological works/measures at the nearby Westwood Flash SBI to allow an overall positive biodiversity net gain. This would meet the requirements of paragraph 180 of the Framework and Policy CP12. Other contributions of £10,000 for improvements to the existing right of way to the southwest of the appeal site, £2,500 for travel plan monitoring, £10,000 bus stop improvements on Bolton Road would promote non-vehicular access to the employment as supported by paragraph 8 of the Framework and Policy CP7. I therefore conclude these provisions would meet the CIL tests: being necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.

77. The works to signalise Bolton Road/Golborne Road junction are suggested as a condition, which I consider latterly.

Other considerations

78. Paragraph 148 of the Framework requires that substantial weight is given to any harm to the Green Belt together with any other harm from the proposal.

79. I have found that the proposal would lead to very limited harm to the Green Belt, but that is the only harm arising.

80. The site has been identified in Policy EM1A as a primary employment land allocation since 1996 and remains allocated as such as confirmed in Wigan Replacement Unitary Development Plan Remaining Policies, April 2006. It is clear that access cannot be found from any other location and given the delay of nearly 30 years, there is a pressing need for a solution.

81. The Council accept that the site is free of fundamental constraints to prevent development, if this new access arrangement is allowed. The Appellant foresees implementation would be expeditious.

82. The Council's Monitoring Report (AMR)[23], shows it is very short of employment land provision which threatens its growth and economic prospects. Policy CP5 commits to make provision for around 200 hectares of new employment land to meet needs to 2026, equating to around 13.33 hectares per annum. However, implementation has been significantly below this with only 24.65 hectares developed during the period 1 April 2011 to 31 March 2022, equating to just 2.24 hectares per year.

83. The table at Figure 4.1 of the AMR shows a clear picture of meagre employment development. However, paragraph 4.4 of the AMR states 'good quality sites are quickly developed when they become available in the borough'. In addition, the Locket Road part of the allocation has been largely completed which shows the potential attractiveness of the immediate vicinity for employment development. The application details[24] show that 871 new jobs would be created on the site when fully operational and a further 281 jobs in existing supporting businesses, which even taken as a ballpark would be important for the area.

[23] Wigan Authority Monitoring Report for 2021/22, published January 2023
[24] Planning Statement paragraph 8.21 and Economic Impact Assessment paragraph 4.3

84. Based on data from the English Index of Multiple Deprivation (2019)[25], the environs of the appeal site are one of the top 30% most deprived areas nationally, whilst neighbourhoods close by are ranked amongst the 10% and 20%.

85. The Core Strategy considers the out commuting of the Wigan Borough residents for employment as one of its key issues, which the AMR[26] quantifies currently as 44%. The Council at the Inquiry confirmed that the shortage of employment opportunities is contributing to such out commuting. The proposal is readily accessible to an extensive residential area which would provide alternatives to such out commuting.

86. In addition, the AMR at paragraph 4.6 notes the overall loss of 76.51 hectares of employment land within Primary Employment Areas since 2011, with the vast majority being for housing. Substantive evidence of other available alternative employment sites outside the Green Belt was not presented to the Inquiry.

87. Whilst KAG questioned the need for the employment, the AMR is the Council's robustly researched document which quantifies the situation in planning terms.

88. The appeal proposal would be a substantial and deliverable contribution to the Council's employment land provision. This is important for the economic prosperity of the area; it would support the social well-being of the community and environmentally would place jobs close to residents without the reliance upon private vehicles[27]. Indeed, a condition is suggested for submission of a Training and Employment Management Plan with the aim of promoting the prospects for local people. Similarly, the submission and implementation of a Construction Training Plan would also benefit local people in construction. Both measures are supported by Policy CP5.

89. The suggested conditions include BREEAM rating and electric vehicle charging which would also be an environmental benefit by promoting low carbon development.

90. Whilst giving substantial weight to the harm to the Green Belt, I therefore find that the very considerable benefits of the proposal would clearly and demonstrably outweigh the potential harm. I therefore find that very special circumstances exist.

Planning balance and compliance with Development Plan

91. The proposal would conflict with Policy CP8 by reason of its very limited harm to the Green Belt. However, in all other respects the proposal would not be harmful. Indeed, I have found that the proposal would maintain the capacity, efficiency and safety of the road network, and so would not conflict with Policy CP7.

92. The site is allocated for employment development for which there is a proven and pressing need, in an area with acknowledged out commuting. The proposal would generate a substantial number of jobs in a location

[25] Economic Impact Assessment paragraph 4.3 and figure 2.1
[26] Page 12
[27] Mr Tucker Proof of Evidence Table 1: 13,519 people live within 2km

readily accessible by non-vehicular transport. Indeed, the proposal includes training opportunities for the local community and a Travel Plan. Policy CP5 supports employment development. The proposed BREEAM rating and electric charging are also benefits. I therefore find the proposal would not conflict with the Development Plan when taken as a whole.

93. Section 38(6) of The Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the plan unless material considerations indicate otherwise. This is reiterated in paragraph 2 of the Framework. Paragraph 11(c) of the Framework states that decision making means approving development proposals that accord with an up to date development plan without delay. As the proposal accords with the development plan as a whole and material considerations do not indicate otherwise, I therefore find the proposal acceptable.

Conditions

94. Paragraph 56 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions. Both parties have collaborated on the suggested conditions and are in agreement. However, the Framework is clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning, and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have assessed the suggested conditions accordingly. Pre-commencement conditions have been minimised and agreed by the main parties.

95. The condition listing the approved plans would provide clarity and certainty. The details for the Bolton Road access were submitted as part of the details for consideration at this outline stage[28]. However, the remainder of the road system has not been designed. All main parties agreed at the Inquiry that access should be a reserved matter with the Bolton Road junction details covered in the condition requiring compliance with approved plans. I concur with this approach but have prefixed the access with internal for clarity.

96. The signalisation of the Bolton Road/Goldbourne junction is suggested by a Grampian[29] condition. The PPG advises that such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission. A plan was submitted with the application showing feasibility of the works and I am advised that the works would be within the public highway and the highway authority are supportive. I therefore find that in principle the condition is necessary.

97. However as discussed at the Inquiry, the clarity of the condition is important so implementation would be ensured as this is necessary to mitigate the impact of the development. The condition as suggested[30] requiring approval of details could lead to potential delay and uncertainty which could undermine the deliverability of the access: the condition must be clear in its

[28] Part 4 application form indicate access is for consideration at this stage
[29] A condition requiring off site works, outside the Appellant's ownership, usually highway matters, prior to the development
[30] The scheme shall detail the new junction arrangements, vehicle tracking and include traffic signals and pedestrian controlled crossings within the adopted highway, plus any works that are necessitated by the development.

intention and requirement. The broad form (at 1:500 scale) of the junction has been agreed in the submitted plan and the finer details and specifications within the public highway would be a matter for the road adoption process. The condition is re-worded to simply focus on the delivery of the access.

98. The Appellant and Council agree that it is physically possible to join the existing access at Lockett Road to make a through route. Whilst this would need land outside their control and the wishes of another landowner cannot be assumed, nonetheless they recommend a condition to safeguard this potential. I find that the implementation of both accesses, if it did take place, would help the accessibility of both employment areas to the surrounding residential areas for pedestrians and cyclists and help traffic go in their preferred direction. Accordingly, I impose this condition.

99. The suggested condition to require access, manoeuvring and parking is unnecessary as those would be shown in the reserved matters and implementation would be expected as a matter of course for the user's own benefit. This is not imposed.

100. A condition to require the submission of the details of external lighting would ensure that light pollution is limited to that necessary for the safety of highway users as well as security around buildings, whilst minimising spillage to the surrounding area and disturbance to wildlife. The suggested condition is re-worded for simplicity.

101. The archaeology condition would ensure that any potential remains on this greenfield site are properly recorded and the results are available to be appreciated by the public.

102. The travel plan condition would require submission of details for each unit. It would be based on the Travel Plan Framework which seeks to promote car sharing, walking and cycling and bus use. This would help maximise the accessibility of the site to encourage low carbon travel to work. This is re-worded to require timely implementation for each particular building.

103. The condition requiring submission and implementation of Construction Training and Employment Management Plans would help employment and skills of local people which would support the social and economic wellbeing of the local community. As I found earlier these would be a material benefit of the proposal in accordance with Policy CP5. The requirement is re-worded to require timely implementation for each particular building.

104. A condition requires the reserved matters applications for layout and landscaping include a biodiversity strategy and targets. The specific reference to the DEFRA metric is amended to allow for future update. Similarly, accepted by all parties, the condition requires wildlife surveys to provide a check before development to avoid any harm. This is re-worded to ensure that the surveys are timely and undertaken to an approved methodology. Mitigation if needed could be arranged within the landscaping areas.

105. The condition confirming the reserved matters submissions includes landscaping. An additional condition refers to the management and retention of the landscaped edge around the site as shown on the land use parameters

plan. The suggested wording is amended to require this area to be the subject of a prompt reserved matters application detailing the landscaping works, implemented to an approved timetable so as to soften the development. Tree retention within this area is also included. A condition is foreseen in the Preliminary Arboriculture Impact Assessment for the submission and approval of the arboricultural management and protection measures, I concur that its measures would be needed to help the health and contribution of the trees to the site and surroundings. This condition includes tree protection measures, so the suggested additional condition is unnecessary. The measures need to be in place at the outset of development hence the pre-commencement trigger.

106. A condition on the compliance with the height parameter plan is necessary to confirm this consideration at this outline stage and in the interests of the appearance of the development. Equally a condition to agree existing and proposed ground levels is necessary.

107. Two conditions are suggested for measures to protect the living standards of residents during construction. I find that they are necessary to minimise the disturbance but have combined them in one requiring the submission and approval of a Construction Method Statement. Similarly, as I found earlier the provision of the acoustic fence and noise limits would be necessary to maintain living conditions of local residents. Operational conditions on the management of dust, fumes and odours are also necessary to ensure these potential nuisances are minimised to respect the nearby residents. The condition on Japanese Knotweed is necessary to avoid risk of spreading a potential invasive problem.

108. The condition on drainage plans would ensure that provision is made for this essential need and the prevention of problems in the vicinity. The condition is worded as pre-commencement as other matters such as landscaping could constrain opportunities. Similarly, a condition on the use of SUDS is necessary in the interest of efficient water management.

109. The conditions requiring provision of cycle parking facilities and cycle/pedestrian connectivity would encourage low carbon travel to the development. Similarly, the submission of the Electric Vehicle Infrastructure Strategy would ensure that adequate provision is made for employees, visitors and delivery vehicles. The condition requiring compliance with the submitted energy efficiency measures is similarly needed in respect of the wider low carbon environment. The BREEAM requirement is included in the same condition as a compliance matter rather than submission of certification to ease administration.

110. The inclusion of crime prevention measures in the reserved matters proposal would help the safety and security of people, property and the community. The conditions on coal mining and land contamination would ensure that the potential is investigated and if necessary remediated so that there are no resulting problems for the site and surroundings.

Conclusion

111. I therefore conclude that the appeal should be allowed subject to the conditions in the conditions annexe below and the provisions of the section 106 agreement but without the 'Off Site Highways Contribution' in Schedule 2 clause 3.

[redacted]

INSPECTOR

List of appearances

For the Council

[redacted] Kings Chambers

[redacted] Director WSP

[redacted] Principal Planning Officer Wigan BC

For the Appellant

[redacted] Kings Chambers

[redacted] Kings Chambers

[redacted] DTA Consultants

[redacted] Partner Gerald Eve

Rule 6 Party: Keep Ashton Green

[redacted] local resident

[redacted] local resident

[redacted] Branch Secretary Wigan Trades Council

Interested parties (local residents)

[redacted]

For the planning obligations round table

[redacted], Group Lawyer Wigan Council

[redacted] Managing Associate Freemans

Documents submitted to the Inquiry

ID1 Appearance list for the appellant

ID2 Appellant opening statement

ID3 Council opening statement

ID4 KAG opening Statement

ID5 Additional working for condition 24 noise

ID6 Council CIL compliance statement

ID 7 list of amended planning conditions

ID 8 Council list of appearances

ID 9 Council closing statement

ID10 KAG closing statement

ID10 Appellant closing statement.

Conditions annexe

1. Applications for all reserved matters shall be submitted to the Local Planning Authority within 3 years of the date of this planning permission. The development hereby approved shall commence within 2 years of the last reserved matters approval.

2. The development hereby approved shall be carried out in accordance with the details indicated on plan references:

- Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1
- Site Access - Priority Junction Drawing No 19479-02-GA Rev C
- Site Access - Priority Junction Vehicle Tracking Drawing No 19479-02-TRACK Rev D
- Land Use and Building Height Parameters Plan - B9812-AEW-SI-XX-DR-A-0505 Rev P6
- Proposed Substation Location Plan B9812-AEW-SI-XX-DR-A-0046 Rev P1
- Proposed Sub Station B9812-AEW-XX-XX-DR-A-0045 Rev P2
- Travel Plan Framework - Ref. 19479-04a
- Proposed Energy and Sustainability Requirements and Strategy (30/03/2021 – 6117/17/05)

3. Prior to the commencement of any use hereby permitted on the appeal site, the Bolton Road/Golborne Road junction shall be amended in accordance with plan reference 19479-05-GA Rev E together with signalised pedestrian controlled crossings in accordance with details submitted to and approved by the Local Planning Authority beforehand.

4. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the following matters: internal access, scale, appearance, layout and landscaping.

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:

- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

6. Any reserved matters application in respect of scale shall be limited to those heights detailed on plan reference: Land Use and Building Height Parameters Plan - B9812-AEW-SI-XX-DR-A-0505 Rev P6.

7. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

(i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
(ii) full details of the finished floor levels of all buildings and hard surfaces.

8. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with that specific unit on the site. The facilities shall be maintained as approved thereafter.

10. Any reserved matters application in respect of layout or landscaping shall include a biodiversity strategy, implementation and management plan to ensure a total of 17.22 on-site based habitat units, plus a minimum of 5 hedgerow units, when calculated against the site's baseline position using the latest DEFRA Metric, are achieved within the site as shown on plan reference – Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1. The strategy will demonstrate that all reasonable opportunities for the planting of hedgerow and biodiversity connections within the reserved matters application site boundary have been assessed.

11. Prior to the commencement of development, the following shall be undertaken by a qualified ecologist to a methodology and timetable submitted to and approved by the Local Planning Authority beforehand:

- An updated Ecological Assessment
- Bat Activity Survey
- Bird Survey and wintering birds' assessment
- An Amphibian Assessment
- A bird nest, bat commuting and amphibian habitat mitigation strategy

The above including the results from the surveys shall be submitted to the Local Planning Authority for approval within one month of completion, together with any mitigation measures including a timetable for any their implementation. The development shall thereafter be constructed in accordance with the approved mitigation measures to the approved timetable for their implementation.

12. Within 2 years of the first submission of reserved matters, a reserved matters application for landscaping details shall be submitted for the area coloured green and annotated for 'proposed landscaping, ecological mitigation, site reprofiling, surface water drainage, access roads and infrastructure' in the 'Land Use and Building Height Parameters Plan B9812-AEW-SI-XX-DR-A-0505 Rev P6'. It shall include: full details of hard and soft landscaping, retention of existing trees, and details maintenance and management, together with a timetable to implement each of the above. The above shall be implemented in accordance with the approved timetable and maintained as approved thereafter.

13. Prior to the commencement of the development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively, the following matters:
- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;
- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;
- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;
- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;
- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and
- A list of contact details during development.

The development shall be fully undertaken in full accordance with the approved AMS.

14. Prior to the commencement of development, notwithstanding the details within the recommendations of the Flood Risk Assessment & Drainage Statement Title

Meridian 6, Version Rev B, full details of the Sustainable Drainage System (SUDS), including;

- Detailed arrangements for the methods to attenuate and discharge surface water from the site;
- Detailed scale plans of the SUDs pond;
- Micro drainage reports and flood route plan;
- SUDS maintenance plan;
- Detailed plans of required culvert;
- Details of additional storage for geocellular storage vessel;
- Details of proposed pollution control measures for surface water runoff from car parks;
- Proposals for conveying water of existing watercourses (drains, ditches) on site shall be submitted to and approved in writing by the Local Planning Authority.
-Management and maintenance details.

The development shall be implemented in full accordance with the agreed details only.

15. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

16. No development shall commence until;

a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

17. Prior to the occupation of the development (or any phase), or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

18. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:
1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:

i - archaeological evaluation trenching
ii - informed by the above, more detailed targeted excavation (subject of a new WSI).

2. A programme for post investigation assessment to include:
i - analysis of the site investigations records and finds
ii - production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

19. Prior to the commencement of development hereby approved by the Local Planning Authority, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2014"), vibration impacts, mud on the road, the storage of building materials, equipment and plant, and the placement of site cabins, site offices and storage containers. The approved CEMP shall be implemented before the construction works are commenced and shall be adhered to for the duration of the construction works.

20. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction, access road and drainage pond in accordance with drawing references: C1238-S38-001 Rev B and 19479-02c-GA Rev C), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified and a Remediation Strategy, including remediation options appraisal, verification plan, and a Gas Protection Design Report, shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

21. The development hereby approved shall only operate in accordance with the following noise parameters:

Operational Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (unless stated otherwise), shall not exceed the following cumulative levels from operational noise from Units at the development site, at the following nearest identified noise sensitive properties to the site.

R1 – Lily Farm Croft
Monday to Sunday 07:00 to 23:00 37dBA
Monday to Sunday 23:00 to 07:00 34dBA

R2 – Bolton Road
Monday to Sunday 07:00 to 23:00 40dBA
Monday to Sunday 23:00 to 07:00 37dBA

R3 – Walter Street
Monday to Sunday 07:00 to 23:00 39dBA
Monday to Sunday 23:00 to 07:00 36dBA

R4 – Woods Lane
Monday to Sunday 07:00 to 23:00 35dBA
Monday to Sunday 23:00 to 07:00 33dBA

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from fixed plant noise from the development site, at the following nearest identified noise sensitive properties to the site.

R1 – Lily Farm Croft
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R2 – Bolton Road
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R3 – Walter Street
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R4 – Woods Lane
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

22. Prior to the commencement of the construction of any building, a close boarded timber fence to the height between 2.5m to 4m high, as shown in Figure 4 and specified in s5.4 of the e3p Noise Impact Assessment reference 50-198-R1-4 dated October 2021 shall be implemented in full. Once implemented, the fence shall be retained as such thereafter.

23. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odours (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

24. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

25. No development shall take place until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

26. Prior to first occupation of each building a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority for that building. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

27. Prior to first use of the development, an Electric Vehicle Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The electric vehicle charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated

with that phase could occur in parking or servicing areas not provided with charging points from the outset.

28. No external lighting shall be installed other than that submitted to and approved in accordance with the details submitted to and approved by the Local Planning Authority beforehand. The lighting shall thereafter be maintained and operated in accordance with the approved details.

29. Prior to first occupation of each building, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan - Travel Plan Ref 19479-04a. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

30. All new buildings approved as part of any reserved matters application shall be designed and constructed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (30/03/2021 – 6117/17/05) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 'Good'.

31. Prior to commencement of development other than demolition, a method statement for the removal of Japanese Knotweed from the site including a schedule of implementation, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented in full.

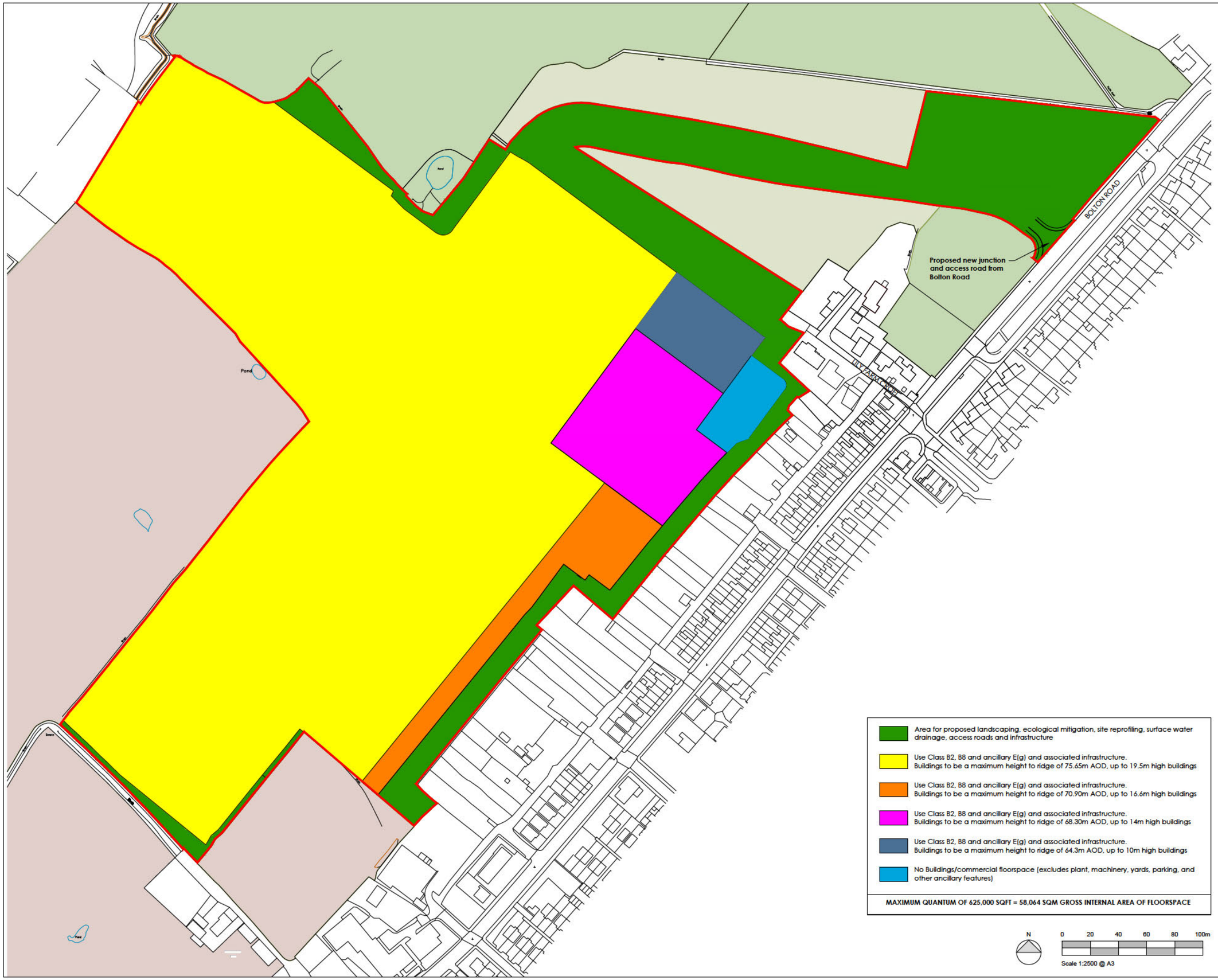
End of conditions

NOT FOR APPROVAL

Maximum quantum of 625,000sqft = 58,064sqm Gross Internal Area of Floorspace

Meridian 6, Wigan - Illustrative Masterplan

9812-AEW-XX-XX-PR-A-0504_P6 Date: 11/05/21 Scale: 1:2500 @ A3 Drawn: MB/MC Checked: DOH



NOTES

AEWTP029C

- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
- This drawing shall not be reproduced without express written permission from AEW.
- Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. AEW cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.
- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties: **Yes**
Principal Designer: **Client**

Unless noted below, all known hazards have been highlighted on the drawing:

REV	Date	Drawn by: -	Checked by: -
P6	22/03/2022	HN	DOH
Height parameter amended, adding light and dark blue.			
P5	28/06/2021	MB	DOH
Height parameter to yellow shaded area amended.			
P4	31/03/2021	MB	DOH
Area for proposed landscaping updated			
P3	26/02/2021	DOH	AS
Land use and parameters added to a key			
P2	03/12/2020	DOH	AS
Landscape connectivity shown to eastern boundary. Lower height parameter zones shown in magenta and orange			
P1	24/11/2020	DOH	AS
Initial issue			

Status	Purpose of Issue
S2	For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Land Use and Building Height Parameters Plan**

date: 24/11/2020 drawn: DOH
scale@A3: 1:2500 checked: AS

Rev: **P6**

Job No: **B9812-AEW-SI-XX-DR-A-0505**

aew architects
0161 214 4370
www.aewarchitects.com

N

0 40 80 120 160 200m

Scale 1:5000 @ A3

NOTES

AEWTP029C

- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
- This drawing shall not be reproduced without express written permission from AEW.
- Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. AEW cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.
- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties:

Principal Designer:

Unless noted below, all known hazards have been highlighted on the drawing:

REV	Date	Drawn by: -	Checked by: -
P1	28/07/2021	MC	DOH
Initial Issue			

Status: S2

Purpose of Issue: For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Extended Location Plan**

date: 28/07/2021 drawn: MC

scale@A3: 1:5000 checked: DOH

Rev: **P1**

Job No: **B9812-AEW-SI-XX-DR-A-0047**

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Wigan Council Places Directorate
Wigan Life Centre, PO Box 100, Wigan, WN1 3DS

01942 489144 Validation@wigan.gov.uk www.wigan.gov.uk

Application for Outline Planning Permission with some matters reserved

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Ashton Park

Address Line 1

Land off Lockett Road

Address Line 2

Ashton in Makerfield

Address Line 3

Town/city

Ashton in Makerfield

Postcode

WN4 8TF

Description of site location must be completed if postcode is not known:

Easting (x)

358430

Northing (y)

400333

Description

Land to the south of Lockett Road

Applicant Details

Name/Company

Title

Mr

First name

Surname

[redacted]

Company Name

Joint application by Caddick Developments Limited, Messrs John T, Craig T and Gary J Barton

Address

Address line 1

Suite 704

Address line 2

NEO

Address line 3

Charlotte Street

Town/City

Manchester

County

Country

United Kingdom

Postcode

M1 4ET

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

Mrs

First name

[redacted]

Surname

[redacted]

Company Name

Ryan & May Ltd

Address

Address line 1

[redacted]

Address line 2

Address line 3

Town/City

[redacted]

County

Country

United Kingdom

Postcode

[redacted]

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please indicate all those matters for which approval is sought as part of this outline application (tick all that apply)

- [x] Access
- [ ] Appearance
- [ ] Landscaping
- [ ] Layout
- [ ] Scale

Note: if this application is approved, the matters not determined as part of this application will need to be the subject of an "Application for approval of reserved matters" before the development may proceed.

Please note in regard to:

- **Fire Statements** - From 1 August 2021, planning applications for buildings of over 18 metres (or 7 stories) tall containing more than one dwelling will require a 'Fire Statement' for the application to be considered valid. There are some exemptions. View government planning guidance on fire statements or access the fire statement template and guidance.
- **Public Service Infrastructure** - From 1 August 2021, applications for certain public service infrastructure developments will be eligible for faster determination timeframes. See help for further details or view government planning guidance on determination periods.

Description

Please describe the proposed development

Construction of B2/B8 warehouse accommodation of up to 33,445sqm (360,000sqft) total including integral offices, with associated car and commercial vehicle parking, servicing and landscaping; with new vehicular access from Lockett Road

Has the work already been started without planning permission?

- ○ Yes
- ◉ No

Site Area

What is the measurement of the site area? (numeric characters only).

7.73

Unit

Hectares

Existing Use

Please describe the current use of the site

Arable farmland

Is the site currently vacant?

◯ Yes
⊘ No

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

◯ Yes
⊘ No

Land where contamination is suspected for all or part of the site

◯ Yes
⊘ No

A proposed use that would be particularly vulnerable to the presence of contamination

◯ Yes
⊘ No

Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway?

⊘ Yes
◯ No

Is a new or altered pedestrian access proposed to or from the public highway?

⊘ Yes
◯ No

Are there any new public roads to be provided within the site?

◯ Yes
⊘ No

Are there any new public rights of way to be provided within or adjacent to the site?

◯ Yes
⊘ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

◯ Yes
⊘ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state their reference numbers

Proposed new vehicular and pedestrain access from Lockett Road; see application plan ref: 3578 - FO5 Rev A

Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- [x] Yes
- [ ] No

Please provide information on the existing and proposed number of on-site parking spaces

Vehicle Type:
Cars

Existing number of spaces:
0

Total proposed (including spaces retained):
315

Difference in spaces:
315

Vehicle Type:
Disability spaces

Existing number of spaces:
0

Total proposed (including spaces retained):
17

Difference in spaces:
17

Vehicle Type:
Cycle spaces

Existing number of spaces:
0

Total proposed (including spaces retained):
40

Difference in spaces:
40

Vehicle Type:
Other

Other (please specify):
HGV

Existing number of spaces:
0

Total proposed (including spaces retained):
49

Difference in spaces:
49

Materials

Does the proposed development require any materials to be used externally?

- [x] Yes
- [ ] No

Please provide a description of existing and proposed materials and finishes to be used externally (including type, colour and name for each material)

Type:
Other

Other (please specify):
All

Existing materials and finishes:
N/A

Proposed materials and finishes:
To be agreed at reserved matters

Are you supplying additional information on submitted plans, drawings or a design and access statement?

- [x] Yes
- [ ] No

If Yes, please state references for the plans, drawings and/or design and access statement

Design and Access Statement

Foul Sewage

Please state how foul sewage is to be disposed of:

- [x] Mains sewer
- [ ] Septic tank
- [ ] Package treatment plant
- [ ] Cess pit
- [ ] Other
- [ ] Unknown

Are you proposing to connect to the existing drainage system?

- [x] Yes
- [ ] No
- [ ] Unknown

If Yes, please include the details of the existing system on the application drawings and state the plan(s)/drawing(s) references

See Drainage Strategy report

Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's Flood map for planning. You should also refer to national standing advice and your local planning authority requirements for information as necessary.)

- [ ] Yes
- [x] No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

- [x] Yes
- [ ] No

Will the proposal increase the flood risk elsewhere?

- [ ] Yes
- [x] No

How will surface water be disposed of?

- [x] Sustainable drainage system
- [ ] Existing water course
- [ ] Soakaway
- [ ] Main sewer
- [ ] Pond/lake

Trees and Hedges

Are there trees or hedges on the proposed development site?

- [x] Yes
- [ ] No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- [ ] Yes
- [x] No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of the local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside the application. The local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species

- [x] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [ ] No

b) Designated sites, important habitats or other biodiversity features

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [x] No

c) Features of geological conservation importance

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [x] No

Supporting information requirements

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.

Your local planning authority will be able to advise on the content of any assessments that may be required.

Biodiversity net gain

Biodiversity net gain is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why they are exempt from doing so.

Find out more about biodiversity net gain, and access digital tools from our partners that can help determine if you are exempt, or produce the biodiversity metric information required.

Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) would apply?

- [x] Yes
- [ ] No

Please provide the pre-development biodiversity value of onsite habitats on the date of calculation

17.63

Please provide the date the onsite pre-development biodiversity value was calculated

26/04/2024

Note: This should be either the date of the application, or an earlier proposed date

If an earlier date, to the date of the planning application, has been used, please provide details why this date has been used

All calculations were undertaken pre-submission to allow for post-development landscaping amendments to be finalised and input into the metric

Which version of the biodiversity metric was used?

February 2024

When was the version of the biodiversity metric used published?

01/02/2024

Please provide the reference or supporting document/plan names for the:
i. Biodiversity metric calculation
ii. Onsite irreplaceable habitats (if applicable)
iii. Onsite habitats existing on the date of the application for planning permission (if applicable)

Document/Plan:
Biodiversity metric calculation

Document name/reference:
Statutory biodiversity metric calcuation (Excel file send under seperate cover)

Document/Plan:
Other (please specify)

Please specify:
Biodiversity net gain report

Document name/reference:
Biodiversity Net Gain Report

Note: You must supply a complete biodiversity metric calculation with your application. Plans must be drawn to an identified scale, and show the direction of North.

Has there been any loss (or degradation) of any onsite habitat(s), resulting from activities carried out before the date the onsite pre-development biodiversity value was calculated. Either:
- on or after 30 January 2020 which were not in accordance with a planning permission; or
- on or after 25 August 2023 which were in accordance with a planning permission?

◯ Yes
⊘ No

Does the development site have irreplaceable habitats (corresponding to the descriptions in column 1 of [Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations (2023)) which are:
i. on land to which the application relates; and
ii. exist on the date of the application for planning permission, (or an earlier agreed date)

◯ Yes
⊘ No

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

⊘ Yes
◯ No

If Yes, please provide details:

See Design and Access Statement

Have arrangements been made for the separate storage and collection of recyclable waste?

⊘ Yes
◯ No

If Yes, please provide details:

See Design and Access Statement

Residential/Dwelling Units

Does your proposal include the gain, loss or change of use of residential units?

◯ Yes
⊘ No

All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?
Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

⊘ Yes
◯ No

Please add details of the Use Classes and floorspace.

Use Class:
Other (Please specify)

Other (Please specify):
Mixed use for B2 (general industrial) or B8 (storage and distribution)

Existing gross internal floorspace (square metres) (a):
0

Gross internal floorspace to be lost by change of use or demolition (square metres) (b):
0

Total gross new internal floorspace proposed (including changes of use) (square metres) (c):
33445

Net additional gross internal floorspace following development (square metres) (d = c - a):
33445

Totals	Existing gross internal floorspace (square metres) (a)	Gross internal floorspace to be lost by change of use or demolition (square metres) (b)	Total gross new internal floorspace proposed (including changes of use) (square metres) (c)	Net additional gross internal floorspace following development (square metres) (d = c - a)
	0	0	33445	33445

Tradable floor area

Does the proposal include use as a shop (e.g. For the display/sale of goods under Use Class E(a), the sale of essential goods under Use Class F2, or as part of any other use)

◯ Yes
⊘ No

Loss or gain of rooms

Does the proposal include loss or gain of rooms for hotels, residential institutions, or hostels?

◯ Yes
⊘ No

Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

- [x] Yes
- [ ] No

Existing Employees

Please complete the following information regarding existing employees:

Full-time

0

Part-time

0

Total full-time equivalent

0.00

Proposed Employees

If known, please complete the following information regarding proposed employees:

Full-time

Part-time

Total full-time equivalent

563.00

Hours of Opening

Are Hours of Opening relevant to this proposal?

- [x] Yes
- [ ] No

Please add details of the of the Use Classes and hours of opening for each non-residential use proposed.

If you do not know the hours of opening, select the Use Class and tick 'Unknown'

Use Class:
Other (Please specify)

Other (Please specify):
B2 and/or B8

Unknown:
No

Monday to Friday:

Start Time:
00:00

End Time:
00:00

Saturday:

Start Time:
00:00

End Time:
00:00

Sunday / Bank Holiday:

Start Time:
00:00

End Time:
00:00

Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

- [x] Yes
- [ ] No

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

TBC at Reserved Matters

Is the proposal for a waste management development?

- [ ] Yes
- [x] No

Hazardous Substances

Does the proposal involve the use or storage of Hazardous Substances?

- [ ] Yes
- [x] No

Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

- ◯ Yes
- ⊘ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ◯ Yes
- ⊘ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ⊘ The agent
- ◯ The applicant
- ◯ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ⊘ Yes
- ◯ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED ******

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

Date (must be pre-application submission)

20/05/2024

Details of the pre-application advice received

Confirmation that the proposed development is acceptable in principle. Agreed parameters for the planning application submission. Discussed preliminary technical responses

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

◯ Yes
⊘ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

⊘ Yes
◯ No

Is any of the land to which the application relates part of an Agricultural Holding?

⊘ Yes
◯ No

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

⊘ Yes
◯ No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

⊘ **I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or**
◯ **The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant:
***** REDACTED ******

House name:
[redacted]

Number:

Suffix:

Address line 1:
[redacted]

Address Line 2:
[redacted]

Town/City:
[redacted]

Postcode:
[redacted]

Date notice served (DD/MM/YYYY):
29/05/2024

Person Family Name:

Person Role

◯ The Applicant
⊘ The Agent

Title

Mrs

First Name

[redacted]

Surname

[redacted]

Declaration Date

30/05/2024

☑ Declaration made

Declaration

I/We hereby apply for Outline planning permission: Some matters reserved as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Samantha Ryan

Date

17/06/2024

Amendments Summary

Scale bars added to application plans. Vehicular parking numbers corrected

Ryan and May

REFERENCE **CADD-01**

DATE **11 December 2024**

Meeting Note

Ashton Gate - A/24/97381/OUTMAJ

Attending:

- [redacted]

Venue – Teams
Date: 11 Dec 2024 2.30pm

The meeting had been arranged to review draft conditions provided to the LPA on 2nd December.

It was noted at the outset that the application, which was validated on 17th June, was approaching a 6 month anniversary; There were no conflicts with policy (the proposal is in outline for a use for which the site is allocated) and there are no objections to it.

In preparation for the meeting MJ had undertaken to:

1. Review the conditions prepared by the Applicant and be in a position to comment on them in detail so that wording could be agreed.

2. Liaise with Stephen Riley (SR) in Highways so as to be able to confirm the LHA position in respect of previous requests from them for provision of a link road connection as part of this application.

3. Confirm that the EHO was content with the responses made by the Applicant as to how noise is to be controlled (this was set out by way of draft conditions).

4. Confirm that the approach to BNG (by way of the draft conditions) was acceptable.

MJ had done this and the meeting discussed these as inter-related matters.

It became apparent that internal discussions between officers had led to MJ now putting forward a position with regard to the provision of a link road that the Applicant cannot accept as reasonable or justified. That link road request coloured the approach to discussing conditions and so in order to make progress an urgent meeting was requested (and agreed) with Gareth Jones (GJ). That meeting will take place on Monday 16th December at 3.00pm on Teams.

It was further agreed that BM would immediately write to GJ ahead of that meeting setting out the points for discussion and what the Applicant now expects in respect of decision making by the authority.

R&M devote a proportion of our profits and time to our Charitable Foundation, which supports urban planning initiatives in rapidly developing countries.

The Planning 4 Change Foundation

Ryan & May Limited is registered in England, No. 12052756. The Planning for Change Foundation is a registered Charity no. 1185266

BM and TP were clear that the current position is unacceptable and must be resolved. No further extension of the determination period will be agreed and the Applicant reserves the right to appeal against non-determination with the expectation of securing an early date for a public inquiry in the New Year.

LHA's reported position on the link road
MJ reported that SR considers the link road to be necessary and that without it the application should be refused. When pressed to explain whether that was because the traffic impacts of the development were such that the link road was required to mitigate harm to junctions; or whether the link road was required to alleviate existing issues and to create future capacity, MJ was unable to confirm. He related his understanding of highways impacts to be such that a refusal of planning permission could not be substantiated on the basis of the proposals traffic generation alone. Nevertheless, he considered that a condition requiring the link road was reasonable.

For the Applicant, PW confirmed that the Traffic Assessment has looked at committed development only and not taken into account potential flows from other allocated industrial land (in accordance with standard practice). The traffic impacts of the proposed development are not severe and do not require the provision of the link road.

BM explored MJ's understanding of the test for conditions and MJ agreed that essentially conditions should not be imposed unless without them permission would have to be refused. MJ could not say whether the LHA had recommended refusal of the application on that basis. Clarification of their absolute position would be sought.

In doing so, MJ would confirm to the LHA that the Applicant considers that the scheme, with the conditions suggested by the Applicant, safeguards the future delivery of a link road.

LPA's reported position on the link road
MJ set out a request that the application be amended to show the safeguarded land for the link road connection in a different place. See screen shot below.

MJ's requested location of safeguarded link road point, pink cross. Actually northern most connection point following Inspectors condition on Glenbrook marked by pink N.

MJ's basis for doing so was said to come from his reading and understanding of the Inspectors decision on the Glenbrook scheme and the condition imposed by that inspector. The decision was reviewed at the meeting and the relevant extract is in the screen shot below.

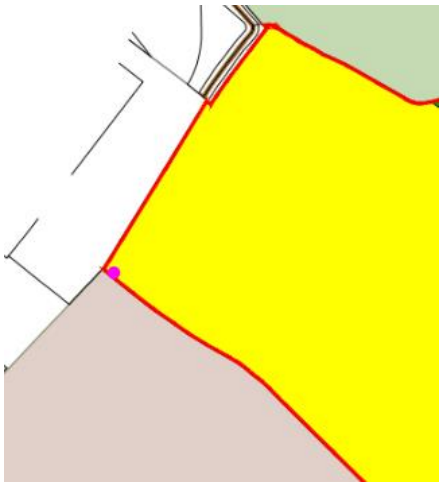
Extract from Glenbrook appeal letter – condition on link road

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:

- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

It was clear (and Applicant's Counsel has confirmed) that the condition imposed by the inspector on the Glenbrook decision requires them (Glenbrook) to provide for a link road that emerges at the point proposed by the Applicant.

Glenbrook parameters plan – northern most point linking to Lockett Road identified (pink spot)



MJ erroneously referred to, and placed great weight on, the illustrative scheme for the Glenbrook development. It was pointed out to him that the illustrative scheme is clearly marked 'Not for approval' and that the only approved plan for Glenbrook was their parameters plan. MJ reluctantly accepted that the approved Glenbrook parameters plan shows development, including access road, being able to take place right up to the Applicants site in the position where the Applicant has proposed a safeguarded link. As such it was finally accepted that the Applicant's proposals and the Glenbrook approved parameters plan were

consistent, such that approval of the Applicant's proposal would not prejudice delivery of the Glenbrook scheme.

Extract from Applicants Parameters Plan showing (pink spot) the northern most point where access is possible to a future a link road connection

It was apparent that the change MJ was seeking would disadvantage the Applicant (see note below in relation to additional build costs and loss of floorspace) whilst at the same time being advantageous to Glenbrook. MJ did not explain to the meeting why the Applicant should amend their scheme in favour of Glenbrook. He was, however, able to confirm that he had been in discussions with their agent and was aware of the benefits to them of re-routing the line of the link road away from that sought by the Inspector.

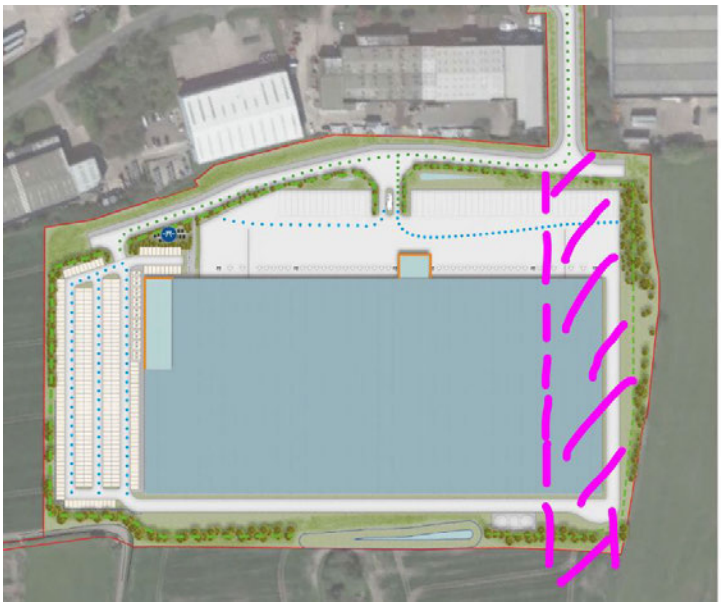
MJ explained that, notwithstanding the LHA's position on the necessity of the link road on highway impact grounds, the link road was desirable as a matter of 'good planning' because it would provide for pedestrian and cycle access.

BM confirmed that the Applicant's position on the link road was that pedestrian and cycle access would be accommodated as and when the link road was built; the planning application makes provision for that by safeguarding enough land within the site for those links to be created. At present there are no pedestrian and cycle paths to link into. There is no conflict with 'good planning' in the approach taken by the Applicant.

Request for amendments to the site layout

MJ considered it reasonable to suggest that the Applicant amend their scheme by replacing a fire access road (shown illustratively in the masterplan) with a full access road that is capable of linking to another part of the site (see location of requested position in screen shot above). It was explained to MJ that to do so would result in the loss of c.10% of the floorspace applied for, a reduction in GDV of £6,000,000 additional build costs of c. £1.2m for the additional road and a completely new earth works strategy which would result in a further c£600,000 of costs

Impact of MJ amendment



Suggestion not to approve the Parameters Plan
In reviewing the conditions MJ suggested that the condition approving the submitted plans should exclude reference to the Parameters Plan. MJ's reasoning was that the Parameters Plan will fix the position of the safeguarded link road connection, which he / SR wishes to avoid.

This is not acceptable to the Applicant. The Parameters Plan provides certainty to the applicant and is necessary for marketing the site / permissions to future occupiers. The plan itself has been the subject of discussion with the LPA from the outset 18 months ago and has been thoroughly tested. It forms the basis of ES screening and is an integral part of the consideration of the effects of the proposal on the surrounding area.

The Parameters Plan must be treated as a plan submitted for approval and included in the list of plans set out in conditions.

Request for amendment to the red edge detail of the access proposed
Notwithstanding the discussion on the link road, MJ requested, on behalf of Stephen Riley (SR) of the LHA, that the detail in the application that shows the new access (as per the screen shot below) be truncated. It was, however, obvious that this request comes about solely because of SR's pursuit of a link road in a different place.

It was confirmed by BM for the Applicant that the red edge of the road detail would not be amended.

BNG considerations
MJ had previously explained his difficulty in understanding how BNG could be calculated and fixed for an outline scheme when siting was not approved. Having worked though this he had accepted that the application was given level of floorspace and the illustrative masterplan and proposed parameters plan meant that it was almost certain that off-site provision of BNG would be necessary. This is acceptable in principle. The Applicants have proposed conditions to deal with this, which MJ confirmed were acceptable as drafted.

MJ then suggested that it might be necessary for the Applicant to enter into a s.106 Agreement, should 'significant' levels of BNG be provided on site, so that the LPAs monitoring costs were covered. In MJ's view such an eventuality needs to be to factored in and any decision on the application delayed further whilst a s.106 was drawn up. Such as delay is not acceptable to the Applicant.

For the Applicant BM confirmed that the 'significant' levels of on-site BNG not be provided and so no s.106 monitoring finance was required. Whilst some BNG provision could and would be made, it was certain that in order to accommodate the floorspace for which the application had been made and the land required for future link road connections, the 'significant' BNG would be off site. The conditions agreed deal with this.

Noise considerations

MJ confirmed that the EHO's suggested condition on fixed plant could be accommodated in the same way as the their conditions on fumes and odours (i.e. including wording only requiring limits in place if fixed external plant was proposed). He confirmed that the operational noise level limits were broadly consistent with those suggested by the Applicant. No further discussion with the EHO is considered necessary.

BM 241211

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NORTH

LOCKETT ROAD

Lockett Business Park

Bryn Road Garage

Tank

Gas Gov

Ashley Court

ESS

Tank

El Sub Sta

ESS

49No. HGV PARKING BAYS

ATTENUATION POND TO ENGINEERS DESIGN

ATTENUATION POND TO ENGINEERS DESIGN

50000

CONCRETE YARD

2 LEVEL GOODS DOORS

34 DOCK LEVEL DOORS

2 LEVEL GOODS DOORS

FE

WAREHOUSE OFFICE

OFFICE

TOTAL PARKING No.332 PARKING SPACES INCL No.17 DISABLED BAYS

WAREHOUSE 340,000Sq.Ft.
FIRST FLOOR OFFICE 7,500Sq.Ft.
SECOND FLOOR OFFICE 7,500Sq.Ft
2 STOREY WAREHOUSE OFFICE 2,500Sq.Ft PER FLOOR

TOTAL 360,000Sq.Ft.

122036

8000

258990

6000

4.5m HIGH RETAINING WALL TO S.E. DESIGN

ATTENUATION POND TO ENGINEERS DESIGN

FUTURE SPRINKLER LOCATION

Pond

Drain

Stream

0m 25m 50m 75m 100m

SITE AREA 18.1 ACRES GROSS

Rev	Description	By	Chkd	Date
H	PARKING NUMBERS REVISED & SCALE BAR ADDED	JS	JW	14.06.24
G	ACCESS ROAD UPDATED	BC		27.03.24
F	RED LINE UPDATED FOLLOWING CLIENTS COMMENTS		JW	14.03.24
E	RED LINE UPDATED FOLLOWING CLIENTS COMMENTS		JW	05.03.24
D	ACCESS ROAD UPDATED		JW	27.02.24
C	RED LINE PLAN UPDATED FOLLOWING CLIENTS COMMENTS			
B	POND AREAS UPDATED	JW		03.01.24
A	INCLUSION OF RETAINING WALL AND PONDS	JS	JW	30.11.23

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

SITE PLAN

KPP ARCHITECTS
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12 Town Street
Horsforth, Leeds LS184RJ
T : +44 (0) 113 2390460
E : architects@kpp-leeds.co.uk
W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:500	A0	NOV'23	JW	.

Status
PLANNING

KPP Job No	Rev
2387	H

Number
2001

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NORTH

Rev	Description	By	Chkd	Date
D	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	JB	JW	
C	RED LINE UPDATED FOLLOWING CLIENT COMMENTS		JW	
A	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	.	JW	

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

LOCATION PLAN

KPP ARCHITECTS

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W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:2500	A3	JAN'24	JB	JW

Status

PLANNING

KPP Job No **2387** Rev **D**

Number

2000

0m 25m 50m 75m 100m 125m 150m 175m 200m

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NORTH

HEIGHT ZONE MAXIMUM 22m (FFL : 54.785 +/- 0.5m)

PRIMARY ACCESS

PROPOSED ROADWAY

LANDSCAPING AND SUDS

ADJACENT SITE GRANTED OUTLINE PLANNING

Rev	Description	By	Chkd	Date
F	SCALE BAR INCLUDED			
E	RED LINE INCLUDED	JB		18.03.24
D	GENERAL UPDATES	JB		07.03.24
C	RED LINE UPDATED	JB		04.03.24
B	RED LINE UPDATED	JW		27.02.24
A	UPDATE TO SUIT COMMENTS	JB	JW	30.01.24

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

PARAMETERS

KPP ARCHITECTS

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W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:500	A0	JAN'24	JB	JW

Status

PLANNING

KPP Job No	Rev
2387	F

Number

2005

0m 25m 50m 75m 100m

Ashton Park, Ashton in Makerfield

Planning Statement

Ryan and May

Contents

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3.	The site and surroundings	8
4.	The background to the application	11
5.	Planning policy context	15
6.	Employment Land Supply	20
7.	Training and Employment Strategy	22
8.	Compliance with the adopted Development Plan	23
9.	Conditions and S.106 Obligations	32
10.	Conclusion and Planning balance	33

Date 29 May 2024

Authors [redacted]

1. Introduction

1.1 The Government is firmly committed to:

- Creating the conditions in which businesses can invest, expand and adapt. It places significant weight on the need to support economic growth and productivity [NPPF para 85].
- Achieving sustainable development, under the three overarching objectives of social, economic and environment [NPPF paras 7 & 8].
- Ensuring that development plans are kept up to date and provide an appropriate framework for the determination of planning applications [NPPF paras 15 & 16].

1.2 This Planning Statement set out the case for outline planning permission to construct a new industrial building of c.33,445sqm (360,000sqft) for Use Classes B2 and B8 on land off Lockett Road, Ashton in Makerfield. It has been prepared by Ryan & May on behalf of the Applicant, Caddick Developments and Messrs John T, Craig T and Gary J Barton ('the applicants'). It demonstrates how the proposals can be brought forward in such a way as to meet the Government's commitments.

1.3 Introductory sections 2-4 provide a description of the application, an outline of relevant planning history and describe the site and its surroundings.

1.4 Section 3 gives a description of the site relevant to the consideration of matters addressed by this Planning Statement. Other discipline specific site descriptions can be found in the accompanying technical reports and statements.

1.5 The rest of this Statement addresses the following matters:

- The Planning Policy Framework and the emerging Local Plan
- The pressing need for new employment development in Wigan
- Caddick's commitment to training and employment
- Compliance with the adopted plan; and
- The overall Planning Balance

1.6 The application site comprises part of a wider allocation for employment development that was first identified in the adopted Wigan Unitary Development Plan (WUDP) in 2006, and subsequently carried forward as saved policy upon adoption of the Wigan Core Strategy in 2013 (South Lancashire Industrial Estate (SLIE) Policy ref: EM1A(36). Accordingly, the proposed development is acceptable in principle.

1.7 The supporting technical reports clearly demonstrate that there are no insurmountable constraints to developing the application site. The proposals will make an important

contribution towards the provision of employment development in the borough, and support the aims and objectives of the adopted and emerging development plan.

2. Description of the application

2.1 The application form confirms that this in an outline planning application for:

""Construction of B2/B8 warehouse accommodation of up to 33,445sqm (360,000sqft) total including integral offices, with associated car and commercial vehicle parking, servicing and landscaping; with new vehicular access from Lockett Road".

2.2 While the application is made in Outline with all matters other than access reserved; it includes a detailed illustrative masterplan, parameters plans and a Design and Access Statement to inform future Reserved Matters submissions.

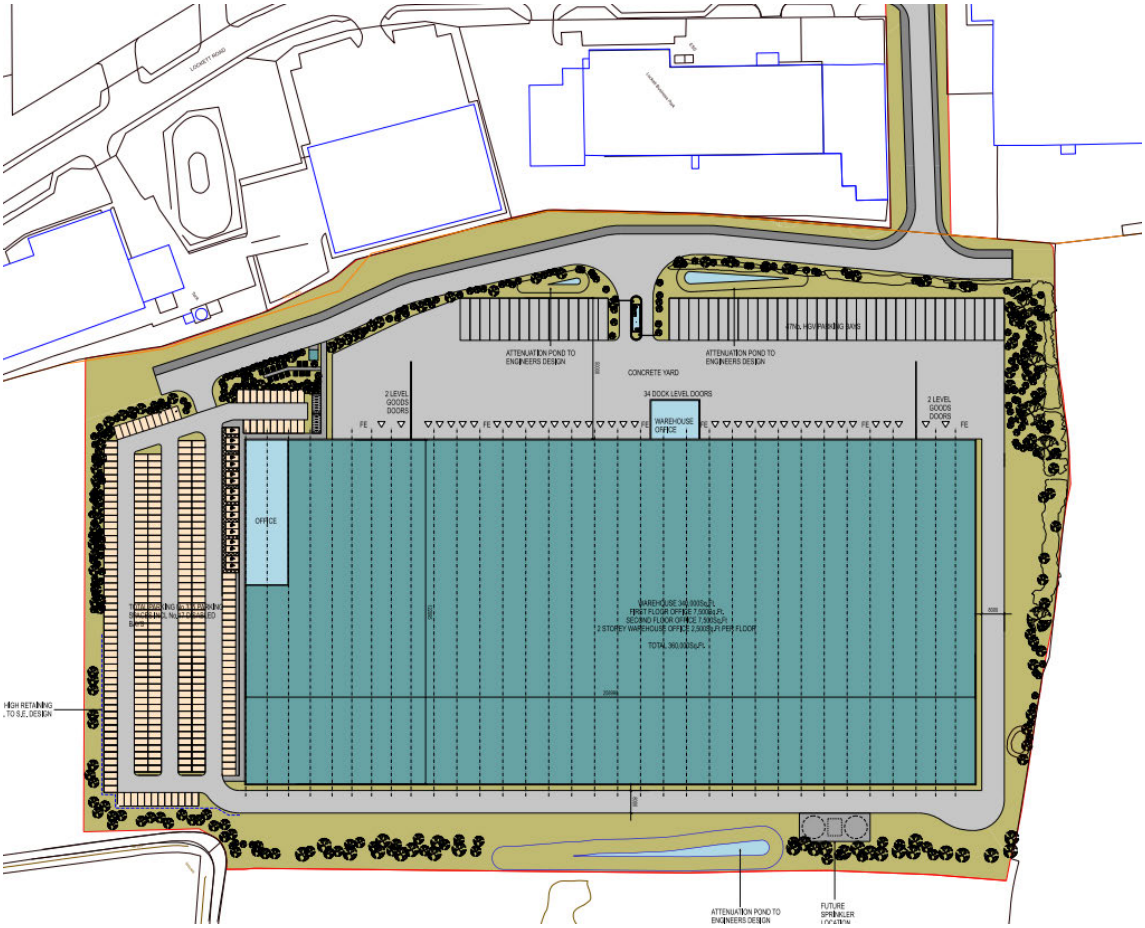


Figure 2.1 – Illustrative masterplan

2.3 The access details, shown on Eddison's plan 3578-F05, provides for a 7.3m wide access, designed to be able to accommodate future access to the wider SLIE allocation on land to the east and west of the application site.

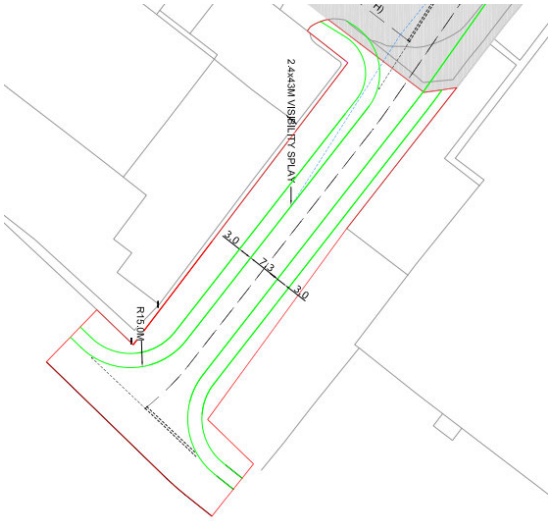


Figure 2.2 – Extract from Eddison's access plan for approval

Proposal description

2.4 Although illustrative in nature, the proposed layout has been designed taking into account the existing site features and surrounding uses. These in turn have helped shape the proposal.

2.5 The illustrative layout plan (plan reference Rev F) has been prepared showing the following:

- A single warehouse of c.31,588sqm (340,000sqft) with associated offices of c.1,625sqm (1,750sqft) – up to c.33,445sqm (360,000sqft) total.
- Trailer parking for 49 HGVs and 34-dock loading bays
- 332 car parking spaces, including 17 disabled parking spaces, and parking for 40 cycles
- Vehicular access from Lockett Road and internal roads
- Landscape planting at the site boundary and a balancing pond, including dry basin, adjacent to the southern boundary.

2.6 The application, whilst in outline, is the subject of a parameters plan, including setting a maximum building height and defined building envelope. These are examined in more detail in the Design and Access Statement, including illustrative images of the proposed development in context. The final configuration will ultimately be driven by the market and set out at Reserved Matters stage.

2.7 The applicants aim to construct the warehouse to BREEAM 'Excellent' standard and are targeting a blue-chip single occupier for the development. A BREEAM Assessment has

been prepared by Hydrock and the requirements to achieve an 'Excellent' rating have fed through into all aspects of the planning application proposals.

2.8 The whole of the application site as edged red is in the single control of the Applicant.

2.9 This Planning Statement is one of a suite of documents that together make up the submission and should be read alongside those reports. The full suite of information is set out below.

Table 2.1 Application documents

Title	Rev or date	Consultancy
Application form & Certificates	29 May 2024	-
Planning Statement, including a Training and Employment Strategy	29 May 2024	R&M
Socio-Economic Statement, including Economic Benefits assessment and infographic	March 2024	R&M / Lichfields
Application Plans for approval - Parameters Plans – showing height, siting, and floor area	Location plan Ref: 2387/2000/Rev D Site Plan Ref: 2387/2001/Rev H Parameters Plan Ref: 2387/2005/Rev F	KPP
Application Plans for approval - Access details for approval Red line plan showing site access detail	Ref: 3578-F05 Ref: 3578-F07	Eddisons
Application plans illustrative – Masterplan	Ref: 2387/2001/Rev H	KPP
Application plans illustrative - Landscape Masterplan	Ref: D10269.001C	TEP
Application plans illustrative – elevations	Ref: 2387/2003/RevA	KPP
Site Constraints plan	Reference: 2387/2006/Rev D	KPP
Design and Access Statement	May 2024	KPP
Transport Assessment	March 2024	Eddisons

Framework Travel Plan	March 2024	Eddisons
Statement of Community Engagement	29 May 2024	Dev Comms
Archaeological Desk Based Assessment	20 March 2024	University of Salford
Air Quality Assessment	7 March 2024	SLR
Noise Assessment & Draft Noise Management Plan	22nd March 2024	Apex Acoustics
Operational Noise Management Plan	26 Jan 2024	Apex Acoustics
FRA & Drainage Strategy	16 Feb 2024	Burrows Graham
Phase II Geo-Environmental Assessment Report	31 Jan 2024	Woolgar Hunter
Arboricultural Report	March 2024	TEP
Ecological Impact Assessment Report including Great Crested Newt District Level License Application and Impact Assessment & Conservation Payment Certificate	April 2024	TEP (Eco)
Biodiversity Net Gain Statement Impact Assessment (Metric completion) and Design Stage Report	April 2024	TEP (Eco)
Landscape and Visual Assessment	April 2024	TEP
Framework Sustainability and Energy Statement	19 April 2024	Hydrock
Lighting Strategy	14 Feb 2024	CWC
Framework Construction Environnemental Management Plan	9 Feb 2024	Caddick Construction
Outline Ecological Construction Environmental Method Statement (ECEMP)	January 2024	TEP (Eco)

3. The site and surroundings

3.1 The application site comprises land of 7.73ha on the north-eastern edge of Ashton in Makerfield.

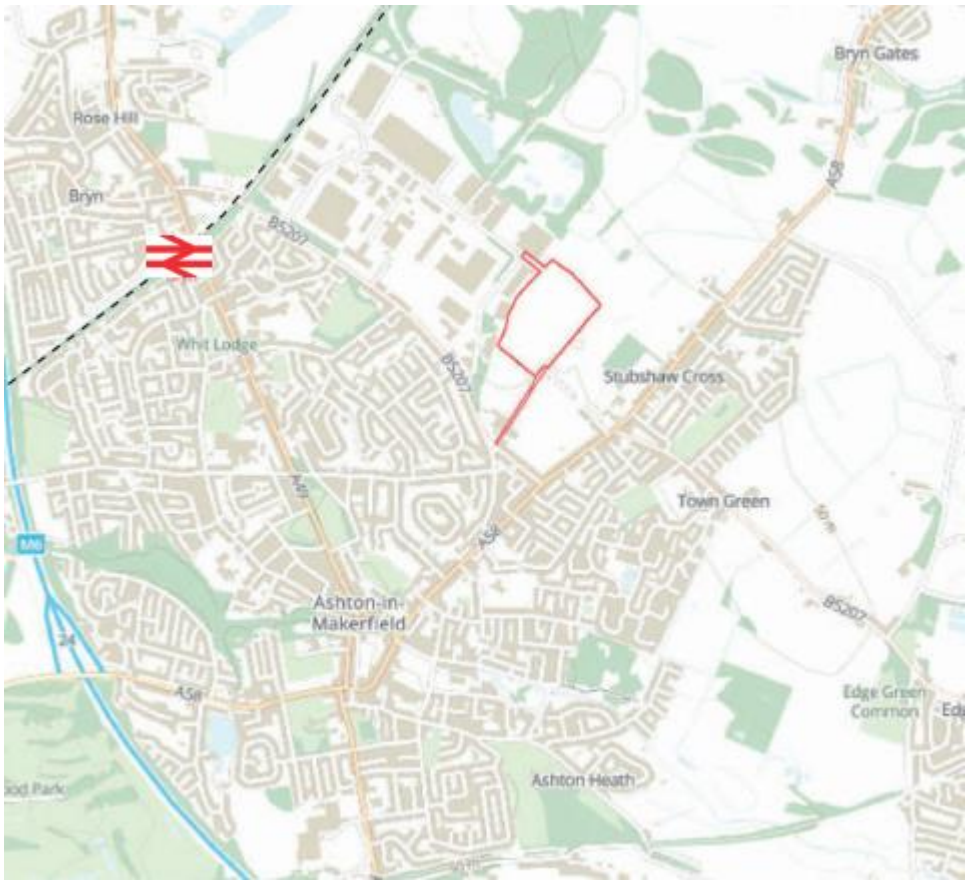


Figure 3.1 – Site location plan

3.2 The majority of the site comprises three fields in arable crop production. There are no buildings within any part of the site and natural features are limited to areas of dense scrub on the northern and western boundaries and areas of scattered scrub elsewhere; a single dry ditch and defunct hedgerow running parallel to one another along the north-eastern boundary; and occasional scattered broad-leaved trees also on the north-east boundary. The site also includes a ditch running from the southern corner of the development parcel parallel with Wood Lane. At the proposed site access there is an area of shrub / self-seeded trees and vegetation.

3.3 Vehicular and pedestrian access into the site is currently provided for off Wood's Lane to the south-east. This is an agricultural access road which is designated as a public right of way (PRoW Wigan 032).

3.4 The South Lancashire Industrial Estate (SLIE) immediately abuts the north-western boundary of the Site, while housing development lies to the west, south and south-east. The existing South Lancashire Industrial Estate accommodates a range of well-established occupiers, including Stagecoach; Poundland; Essity and Snuggledown. The

majority of the existing industrial estate dates back to 1970's construction through to modern units completed circa 2018. The Georgia Pacific unit was most recently developed and included the redevelopment of approximately 600,000sqft.

3.5 The application site and open land immediately to the south-west and north-east is allocated as a Primary Employment Area in the adopted development plan as an extension to the SLIE (see Sections 4 and 5). This overall employment land allocation extends to approximately 34ha, including land immediately to the east where planning permission was granted on appeal on 5 May 2023 for a scheme of 58,064sqm of industrial / warehouse accommodation ('land to the east') (LPA ref: A/21/92036/OUTMAJ).

3.6 Ashton-in-Makerfield town centre is located to the south-west of the application site. It contains a range of shops, services and community uses.

3.7 The different aspects of the application site and surroundings are described in more detail in the following documents:

- **Landscape and Visual Assessment** - Which describes the landscape of the site and surrounding area in detail, together with the views of the site from different locations.

- **Design and Access Statement** - Includes an assessment of the site describing its features and surrounding context, with a site evaluation setting out constraints and opportunities considered as part of the scheme design.

- **Transport Assessment** – The TA describes the accessibility of the site to key local facilities and services by sustainable modes of travel including walking, cycling and public transport. Section 2 describes the existing transport conditions in the vicinity of the site including a review of the local highway network. A Framework Travel Plan is included as an appendix to the TA.

- **Archaeological Report**– Provides an assessment of the archaeological potential of the site.

- **Noise report** - Describes the noise climate of the site and immediate surroundings. It includes up-to-date measurements of noise associated with nearby commercial and leisure activities. A Framework Noise Management Plan is appended to the Noise Report.

- **Flood Risk Assessment and Drainage Strategy** – Provides information on flood risk showing the whole site to be located entirely within Flood Zone 1, and as having a low probability of flooding from rivers or sea; and to be at a very low risk of surface water flooding.

- **Stage 2 Geo-environmental assessment report** – Describes the underlying geology and ground conditions of the site.

- **Arboricultural Report** – Describes the tree and hedgerow cover on the site and at its entrance, including an assessment of its quality and health.

- **Air Quality Assessment** – Provides a description of the air quality around the site to underpin the analysis of impacts on that air quality arising from traffic associated with the proposed development.

- **Ecological survey** – Provides detailed descriptions of the findings of site wide surveys of habitats, species and groups. A separate Biodiversity Net Gain (BNG) Report then provides a calculation of BNG using the latest metric.

4. The background to the application

Development Plan Allocation

4.1 The land is part of a wider allocation for employment development that was first identified in the adopted Wigan Unitary Development Plan (WUDP) in 2006, and subsequently carried forward as saved policy upon adoption of the Wigan Core Strategy in 2013 (Core Strategy).

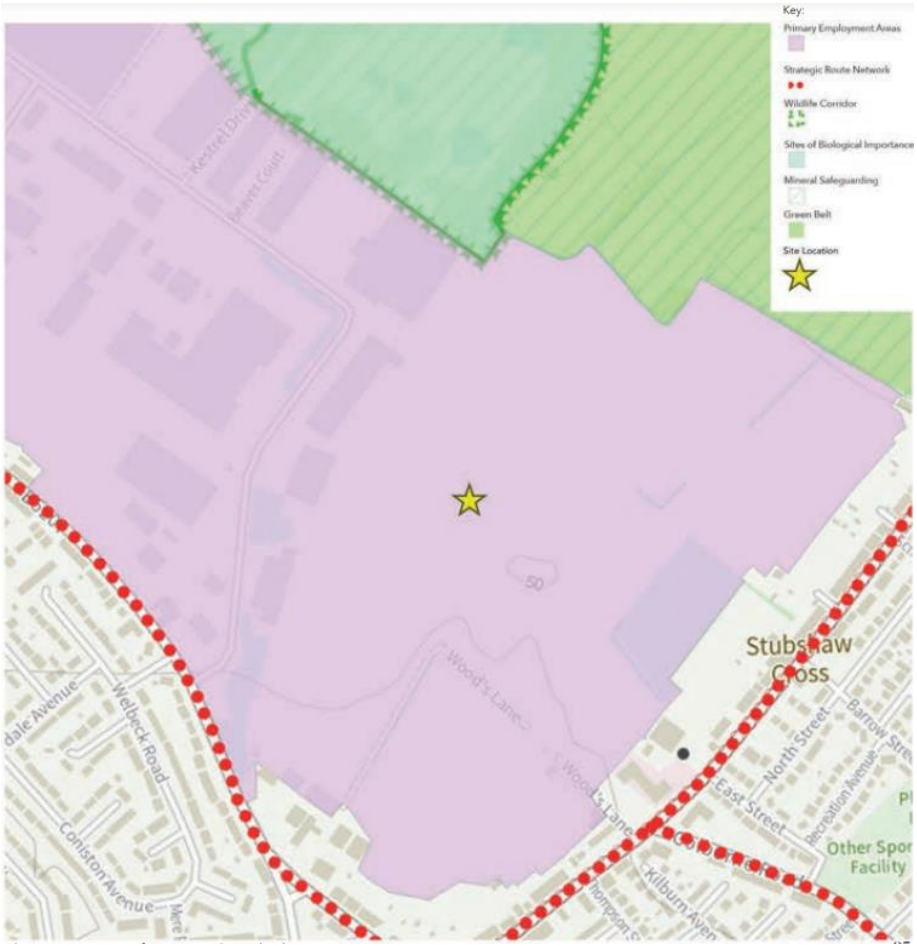


Figure 4.1 - Wigan Policy Map extract showing employment allocation in purple

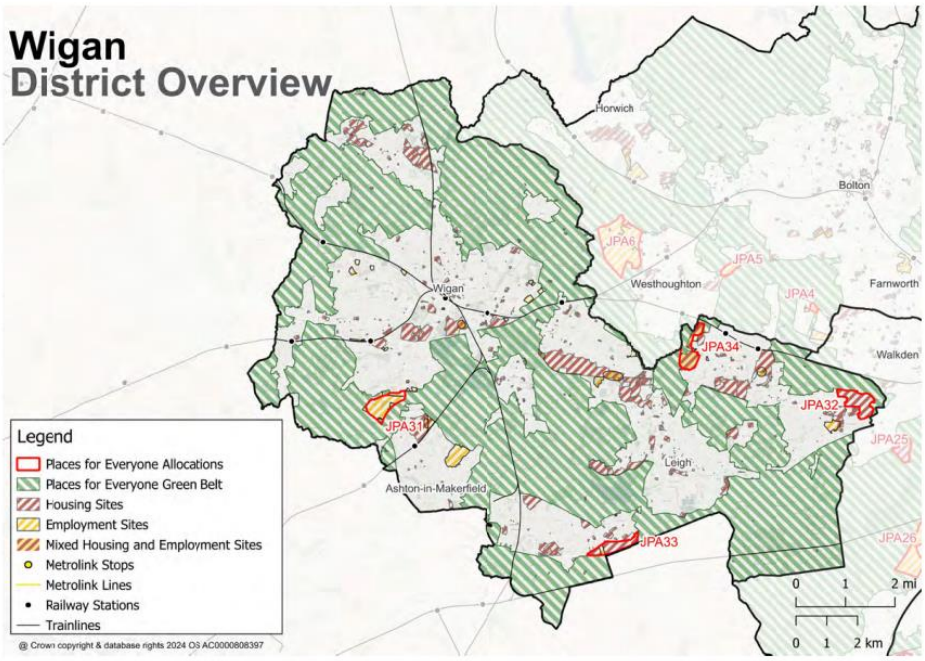
4.2 The site and adjacent land to the south and east, including the 'land to the east' (see below), is part of a larger allocation of c.34ha for expansion of the SLIE Primary Employment Area (policy EM1A(36)). It is the largest such allocation in the borough.

4.3 The relevant policies of the adopted development plan aim to protect the land for employment purposes in Use Classes B1, B2 and B8 (light and general industry and warehousing).

4.4 The allocation is also identified in an Employment Land Supply Position Statement published by the Council as part of its evidence base for the emerging local plan. The

document identifies the SLIE as, arguably, the best non-Green Belt employment site in the borough, referring to its good access to the motorway network.

4.5 The site is also identified as an employment site in the Places for Everyone (PfE) plan – Picture 11.47: Wigan District Overview.



Strategic Allocations in Wigan

Picture 11.47 Wigan District Overview

Relevant Planning History

4.6 The site has, historically, been in use for arable crop production and there is no history of planning applications on the land.

The land to the east

4.7 18.43ha of land immediately abutting the north-east of the application site was the subject of a planning application (ref: A/21/92036/OUTMAJ) submitted in 2021 for the following:

"Outline planning application with details of means of access (partial details of access and details of scale, layout, appearance and landscape are reserved) for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road and services off Bolton Road and associated works".

4.8 The application was reported to planning committee on 12 April 2022, where officers recommended that planning permission be granted for the proposal which was in

accordance with the allocations and policies of the development plan and would '*act as a catalyst promoting economic development and growth in the area'*.[1]

4.9 The application was refused by Members for a single reason relating to concerns of significant impacts on the highways network. Following a subsequent public inquiry into the council's decision, the scheme was allowed at appeal[2]. In his decision letter, dated 5 May 2023, the Inspector concluded that:

- The proposal would not be harmful to the operation of the local road network and accords with development plan policy CP7 in so far as it maintains the capacity, efficiency and safety of the road network, whilst minimising as far as practical the adverse impact of transport on the community and town centre. Similarly, it would accord with the Framework in so far as it would not lead to an unacceptable impact on highway safety or lead to severe residual cumulative impacts on the road network; and

- There were no other technical or other objections to the development. In arriving at that conclusion, he addressed the specific concerns of the local objector group on matters of air quality, ecology, landscape impact and loss of recreational opportunities.

Engagement with the Council and others

4.10 Caddick and its advisors have been engaging with Council officers since they secured control of the site in 2022, including making representations to the emerging local plan process.

4.11 A formal pre-application submission was made in November 2022, and a meeting held with key officers in February 2023. At that meeting it was agreed that:

- The proposal for an industrial warehouse would be in accordance with the development plan allocation for the site; and

- Provided there was no conflict with development management policies within the adopted development plan, or any material considerations that would outweigh the presumption in favour of this development, planning permission should be granted; and

- Various preliminary technical responses had been received to the pre-application submission and no such policy conflicts or other material considerations were identified at that time.

4.12 The applicants have also sought to engage with key stakeholders and the local community. The SCI sets out the various methods of communication, including direct emails / correspondence to local members, leaflet distribution and a dedicated website. Only 19 comments were received and, of those, around 30% were related to the consented development on land to the east, while others were under the

[1] Officer's Report to planning committee, page 50 (conclusions)

[2] Appeal ref: APP/V4250/W/22/3307710

misapprehension that the site lies within the Green Belt. The primary concerns raised by consultees relate to the principle of the development in this location, and highways impact. Those matters are addressed in Section 8 of this statement and the Transport Assessment.

Caddick Developments

4.13 Caddick Developments Ltd ("Caddick") is one of the largest, privately owned, multi-sector property developers – creating high quality places and spaces across the UK. Growing from its Yorkshire foundations in the 1980s Caddick is a trusted delivery partner specialising in the acquisition, development, construction and management of residential, industrial and regeneration projects.

4.14 Caddick has a particular specialism in building large industrial and logistics projects, providing both speculative developments and bespoke projects for occupiers. With sector experts Caddick Construction as part of the Caddick Group, the company is able to deliver projects in a timely and cost efficient manner.

4.15 Caddick has previously completed and is currently working on various projects within Wigan, also providing opportunities for a number of apprenticeships. This includes working for Wigan Council in designing and constructing a new build extra care scheme and a 51 unit new build housing scheme, known as Sandalwood Extra Care, to offer the local community affordable rented accommodation.

4.16 The extra care scheme comprises of 48 No one bed apartments and 3 No two bed apartments and will have associated communal and circulation areas, plant rooms, bin stores, lifts, external works, drainage and service installations including ground source heat pump heating solutions. The housing scheme includes the construction of 7 No one-bedroom, 10 No two-bedroom and 1 No bariatric bungalow with associated external works, drainage and service installation. The scheme was completed in August 2023.

4.17 Caddick is also currently working on two additional projects in the area, one at the Old Railway Arches for 40 apartments which will be designed sustainably with high levels of energy efficiency and natural light to minimise energy costs, and one at Plank Lane, Leigh which comprises 78 No apartments and 9 No bungalows. Both of which are due to complete in 2024.

5. Planning policy context

National Planning Policy

5.1 National planning policy is set out in that National Planning Policy Framework[3] ('the Framework'), and guidance contained in the National Planning Practice Guide (NPPG). The following policy themes are most relevant to the application proposals.

Sustainable development

5.2 The purpose of the planning system is to contribute to the achievement of sustainable development under three interdependent and over-arching objectives: economic, social and environmental. Plans and decisions should apply a presumption in favour of sustainable development unless the policies of the NPPF which protect assets of particular importance provide a clear reason for refusing the development proposed; such assets are clearly set out in the footnote to paragraph 11. Those assets do not include any designations applicable to the application site.

Building a strong, competitive economy

5.3 Section 6 of the Framework confirms the Government's objective of ensuring that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development; noting that LPA's should allow their area to build on its strengths, counter any weaknesses and address the challenges of the future (paragraph 85).

5.4 Specifically, planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of certain industries, including for storage and distribution operations at a variety of scales and in suitably accessible locations (paragraph 87).

Sustainable transport

5.5 In assessing sites, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be delivered; safe and suitable access to the site can be achieved for all users; and any significant impacts on the transport network can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety or the residual cumulative impacts would be severe.

Conserving and enhancing the natural environment

5.6 Planning policies and decisions should contribute to and enhance the natural environment by, inter alia, protecting and enhancing valued landscapes, recognising

[3] National Planning Policy Framework 2023

the intrinsic value of the countryside, minimising impacts on and providing net gains for biodiversity.

Achieving well-designed and beautiful places

5.7 The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Meeting the challenge of climate change, flooding and coastal change

5.8 The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Development Plan

5.9 Section 38(6) of The Planning and Compulsory Purchase Act (2004) indicates that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, the Development Plan comprises the following documents:

- Places for Everyone Joint Development Plan Document (21 March 2024)
- Wigan Local Plan Core Strategy (September 2013);
- Replacement Unitary Development Plan (UDP) Policies (adopted April 2006, saved September 2013);
- Greater Manchester Joint Minerals Plan (April 2013); and
- Greater Manchester Joint Waste Plan April 2012).

5.10 The Council's Development Plan listed above is considered to be up to date for the purposes of the National Planning Policy Framework, which states that development proposals which accord with an up-to-date development plan should be approved without delay.

5.11 The Places for Everyone DPD (PfE) Policy JP-S1 reflects the presumption in favour of sustainable development in accordance with paragraph 11 of the revised NPPF.

5.12 Core Strategy Policy SP1 sets out the Council's priorities for spatial development. The policy places a focus on development towards the east-west core within the towns of Wigan, Ince, Hindley, Platt Bridge, Leigh, Atherton, Tyldesley, Astley and Ashton-in-Makerfield "*to create attractive places for people to live ad businesses to locate and thrive*". The aim of the policy is to capitalise on the strategic location between

Manchester, Liverpool and Central Lancashire "*to be more competitive economically and attract businesses*". While the policy has been partially replaced by PfE Policy JP-G9 that change refers to Green Belt boundaries and is of no relevance to this application.

5.13 PfE Policies JP-J1 and JP-J2 replace Core Strategy Policy CP5 which set out details of the Council's strategy for employment development.

5.13.1 Policy JP-J1 aims to support long-term economic growth with thriving, inclusive and productive economy across the Greater Manchester boroughs. It places an emphasis on maintaining a very high level of economic diversity and facilitating the development of high value clusters in key economic sectors including (vi) logistics. Part F of the policy supports local job growth, while Part G aims to maximise the potential of the key growth locations including the Wigan-Bolton growth corridor (Strat6).

5.13.2 The explanatory text states that it will be important to ensure that there is an excellent supply of employment sites and premises across the Plan area, with sufficient variety in terms of quality, cost and location to maximise the ability to attract and retain jobs and investment. This will help to deliver high levels of economic growth and tackle inequalities by improving access to employment opportunities for existing and new residents (PfE, para 6.16).

5.13.3 Policy JP-J2 relates to employment sites and premises. It states that a diverse range of employment sites and accessible premises, both new and second-hand, will be made available across the Plan area in terms of location, scale, type and cost; and that a strong portfolio of prime investment opportunities for new floorspace will be brought forward in the key growth locations identified in JP-Strat1 to JP-Strat12 and in complementary locations, with many being particularly suitable for key economic sectors and specialisms.

5.14 Core Strategy Policy CP7 sets out the Council's intentions to improve accessibility to key destinations for people and goods. The policy seeks to, inter alia, promote major transport infrastructure, accessibility improvements, maximise bus and rail networks and maximise the capacity, efficiency and safety of the road network.

Site allocation

5.15 The proposals map of the adopted development plan shows that the application site is part of a wider allocation for the expansion of the South Lancashire Industrial Estate, identified as a 'Primary Employment Area (Name: South Lancashire Industrial Estate. ref:EM1A 36). It also site forms part of the 'Places or Everyone - Existing Supply of Industrial and Warehousing Sites'.

5.16 Saved UDP Policy EM1A sets out the principle of acceptable land uses within Primary Employment Areas. Policy EM1A states:

"Within Primary Employment Areas, development for, or changes of use to, uses within classes B1, B2 and B8 or other employment uses will be permitted, provided that there will be no unacceptable environmental, amenity, highway, road safety or other adverse

impact."

5.17 The principle of the proposed employment/industrial development on the land is therefore acceptable in terms of the generic allocation of the site. Table 1 within the supporting text of saved UDP Policy EM1A specifically sets out that 39.2 ha of land is available for the expansion of industrial/employment development across the entire allocation at South Lancashire Industrial Estate.

List of relevant policies

5.18 The following strategic and development management policies of the adopted development plan are identified as being relevant to this application. They have been considered in this Planning Statement and other application documents, as appropriate:

Places for Everyone Policies

- Policy JP-G9 Spatial Strategy
- Policy JP-S1 Sustainable development
- Policy JP-S2 Carbon and energy
- Policy JP-J1 Supporting long-term economic growth
- Policy JP-J2 Employment sites and premises
- Policy JP-P6 Health
- Policy JP-G1 Landscape character
- Policy JP-G2 Green infrastructure network
- Policy JP-G8 A net enhancement of biodiversity and geodiversity

Core Strategy policies

- Policy SP1 Spatial strategy for Wigan
- Policy CP7 Accessibility
- Policy CP10 Design
- Policy CP11 Historic environment (archaeology)
- Policy CP16 Flooding
- Policy CP17 Environmental protection
- Policy CP18 Developer contributions

Saved policies of the Wigan UDP

- Policy EM1A Primary Employment Areas (PEA)
- Policy EV1B Pollution
- Policy A1S Parking in new developments

Supplementary planning documents

5.19 The Council has adopted a number of Supplementary Planning Documents (SPDs) to inform application and interpretation of the development plan policies. Those are not part of the development plan but may be material considerations in the determination of planning applications. The following SPD has been identified and is considered in this Planning Statement and other application documents, as appropriate:

- Air Quality SPD (April 2021)
- Travel Plans SPD (2007)
- Landscape Design SPD (2021)
- Access for All SPD (2006)
- Development and Protected Species (2007)
- Construction Environmental Management Plans (2019)

Other policies and guidance

5.20 Other national and local guidance may also be relevant as material considerations in the determination of planning applications. The following documents are considered in the application documents:

Emerging local plan

5.21 The new Wigan local plan is at an early stage of preparation (Wigan Borough Local Plan: Planning for the Future to 2040: Options and Preferences Consultation') in which the Council's preference has been set out for existing employment areas to be protected and enhanced, particularly as a main focus for 'foundation' businesses, and to support their modernisation and renewal to ensure that they remain relevant to business needs and continue to support a full range of businesses.

5.22 The plan will now continue preparation following the strategic direction set by 'Places for Everyone' as options and preferences are translated in draft policies and allocations. At this stage, only very limited weight can be attached to the draft local plan in the determination of this application.

6. Employment Land Supply

6.1 Government has a key objective, set out in Section 6 of the Framework, of ensuring that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development; noting that LPAs should allow their area to build on its strengths, counter any weaknesses and address the challenges of the future (paragraph 85).

6.2 The existing development plan, emerging development plan, Places for Everyone strategic plan and national planning policy all recognise the economic importance of bringing forward and developing employment land.

Supply of employment land

6.3 In 2022 the Council's Annual Monitoring Report 2020/21 (AMR) (December 2021) concluded that a total of 87.13 hectares of employment land has been lost to competing land uses over the period of 1 April 2011 - 31 March 2021, including 80.52 hectares within designated Primary Employment Areas. In addition, the AMR sets out that only 24.52 hectares of employment land has been taken up in the borough during 2011-21, equating to just 2.45 hectares per year. This represented a significant shortfall against the policy requirement set in Policy CP5 of around 200 hectares for the period 2011-26, indicating a limited supply of good quality deliverable employment sites in the Borough, with the attributes required to attract investment.

6.4 The 2023 position was then considered by the inspector in the Land to the east appeal:

> '*The Council's Monitoring Report (AMR)[23], shows it is very short of employment land provision which threatens its growth and economic prospects. Policy CP5 commits to make provision for around 200 hectares of new employment land to meet needs to 2026, equating to around 13.33 hectares per annum. However, implementation has been significantly below this with only 24.65 hectares developed during the period 1 April 2011 to 31 March 2022, equating to just 2.24 hectares per year.* [82]
>
> *The table at Figure 4.1 of the AMR shows a clear picture of meagre employment development. However, paragraph 4.4 of the AMR states 'good quality sites are quickly developed when they become available in the borough'. In addition, the Locket Road part of the allocation has been largely completed which shows the potential attractiveness of the immediate vicinity for employment development.'* [83]
>
> *'In addition, the AMR at paragraph 4.6 notes the overall loss of 76.51 hectares of employment land within Primary Employment Areas since 2011, with the vast majority being for housing. Substantive evidence of other available alternative employment sites outside the Green Belt was not presented to the Inquiry.* [86]

6.5 What this demonstrates is that the take up of employment land remains stubbornly below the policy requirement as originally set in Core Strategy Policy CP5, now superseded by PfE Policy Jp-J1.

6.6 It should also be noted that the inspector highlighted [Para 84 of the Land to the east appeal] that the area close to the site is one of the top 30% most derived areas nationally and concluded that the provision of more jobs locally can help address this, adding weight in the planning balance.

6.7 The situation, in respect of employment land supply has not improved, with exception of the granting of permission for the Land to the east scheme, and as with that scheme, the conclusions of the inspector are applicable:

> *'The appeal proposal would be a substantial and deliverable contribution to the Council's employment land provision. This is important for the economic prosperity of the area; it would support the social well-being of the community and environmentally would place jobs close to residents without the reliance upon private vehicles*.' [88].

7. Training and Employment Strategy

7.1 Caddick are committed to working with local authorities to maximise employment opportunities for local communities; clear evidence of that commitment is found in Caddick's recent developments in the borough. They have agreed to make a Training and Employment Strategy commitment and have provided examples of where they have supported such initiatives in the past (see paragraphs 4.14 – 16 above).

7.2 We have reviewed the Council's developer guide (Appendix 1) setting out the preferred conditions that the Council will look to impose relating to employment and training. These are acceptable and could be subject of an appropriately worded planning condition.

8. Compliance with the adopted Development Plan

8.1 Applications for planning permission should be determined in accordance with the development plan, unless material consideration indicate otherwise. This is made clear in both the Town and Country Planning Act 1990 ('the TCP Act'):

"In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations." [Section 70(2)]; and

the Planning and Compulsory Purchase Act 2004:

*"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." [*Section 38(6)].

8.2 The application proposals are assessed against the relevant policies of the adopted development plan identified in Section 5 and by reference to the accompanying technical reports.

Site allocation

8.3 The principle of employment development on the PEA land accords with the saved Wigan UDP land allocation Policy EM1A.

8.4 The proposed works would unlock the designated PEA, creating the opportunity for the PEA to be developed and provide wider economic and social benefits to the local area and the Borough in general. The employment development as proposed is fully compliant with the PEA allocation and will develop 7.3ha of vacant employment land in this location. In addition, the application is accompanied by an indicative masterplan in accordance with saved UDP Policy EM1A, demonstrating pedestrian and vehicle routes, plus landscaping, can be accommodated providing a modern employment area to meet growing needs of businesses and to address the current employment shortage across the Borough.

8.5 The construction project has an estimate value of c.£26m and will provide £36.7m gross value added (GVA) during the construction period.

Figure 8.1 – extract from Socio-economic impact infographic (see Socio-Economic Statement)

Figure 8.2 – extract from Socio-economic impact infographic (see Socio-Economic Statement)

8.6 It is anticipated that up to 563 direct full-time equivalent (FTE) jobs will be created by the development, with a further 163 FTE jobs in the supply chain. The development will provide c.£46m per annum GVA, and approximately £0.78m /annum in business rates for Wigan.

8.7 The development will support economic growth and provide high-quality logistics floorspace in accordance with PfE policies JP-J1 and JP-J2, and in a key location of the Wigan-Bolton growth corridor identified as a priority in PfE policy Strat6.

Transport

8.8 The Transport Assessment (TA) that accompanies this outline planning application describes the access proposals in details (see section 3.2 on vehicular access and 3.3 of pedestrian access). As part of the proposed access arrangements the road layout of Lockett Rd would be amended to provide a priority controlled junction with vehicles travelling to and from the site having priority over the Locket Rd traffic. Alongside the road width of 7.3 metres, will be a footpath with a width of 3.0m on the western side of the carriageway.

8.9 The TA also sets out a comprehensive review of the potential impacts of the development on the local highway network. The scope of the assessment has been agreed with the highway authority.

8.10 The Council's Highway Engineer will evaluate the TA and is expected to support its findings. Furthermore, it is anticipated that TfGM will be satisfied with the proposals.

8.11 The TA thoroughly analyses the impact of the proposed development on the highway network, taking into account factors such as traffic generation, trip distribution and operational assessments of impacted junctions. It concludes (para 7.12.2) that there will be minimal impact on the local highway network following implementation of the already consented highway improvements.

8.12 The site has been assessed for accessibility by non-car modes and section 5 of the TA provides those details with plans and service routes showing a very good level of accessibility by foot, cycle, bus and train. Car parking provision will be determined as part of reserved matters, however, the illustrative layout demonstrates that a suitable

number of spaces, including mobility impaired spaces, can be provided in accordance with the local authority's maximum car parking standards.

8.13 Only one junction has been identified for mitigation, the A58 Bolton Road/ B5207 Golborne Road Junction, which was also identified as needing improvement as part of the approved scheme on land to the east. On site observations indicate that queuing occurs on the B5207 Golborne Road arm of the junction during the peak periods and there are no pedestrian facilities at the junction. To address these constraints, the consented Land to the east scheme proposes to convert the existing priority controlled junction to a full signalised arrangement with pedestrian facilities. Overall the development proposals will result in a minimal impact on the local highway network following the implementation of the consented highway improvements. The TA concludes that the proposed employment development will provide a sustainable development in transport terms and planning permission should be granted in accordance with the NPPF.

8.14 The Framework Travel Plan (FTP) sets out objectives and strategies to reduce the reliance of occupiers of the development on the private car encouraging behaviours from the date of first occupation in accordance with the objectives of the SPD.

8.15 The FTP will then provide a platform for more detailed Travel Plans (TP) to come forward as part of any RM application to reduce dependency on private cars. Each TP will be tailored to the business needs and can also include journeys to and from work, fleet management and deliveries. A condition can be included to secure the details of a TP for any forthcoming reserved matters submission, which will be monitored for an initial period of 5 years. Contributions towards monitoring of the TPs form part of the S.106 Heads of Terms in accordance with the Travel Plans SPD guidance.

8.16 In the appeal for land to the east the Council accepted that the thrust of Policy CP7 is not higher than that of (then) Paragraph 111 of the National Planning Policy Framework (the Framework); which states development should only be prevented or refused on highway grounds if there would be a new unacceptable impact on highway safety or the residual accumulative impact on the road network would be severe. That threshold is not met here and the proposal is consistent with development plan policies relating to highways and transport .

Sustainable Design and Design quality

8.17 The DAS and illustrative masterplan set out key principles to ensure a high quality of design for the development.

8.18 CS Policy CP17 'Environmental protection' is relevant to this part of the planning assessment. The aim of the policy is to maintain, enhance and protect the Borough's environment for the benefit of people and wildlife, and make it a better place for people to live and businesses to locate and thrive, by a number of factors, including 'ensuring that new development is planned and designed so that it does not have an unacceptable adverse impact on amenity and quality of life and/or that it will not itself be impacted upon in such a way by existing uses or activities in the area.' CS Policy CP10 is also of relevance in ensuring developments are integrated effectively within their surroundings as intrinsic to 'good design'.

8.19 In order to achieve sustainable objectives detailed in the revised NPPF, it encourages the application of policies to provide sustainable solutions, taking into account local circumstances. Therefore, the juxtaposition of site to the SLIE of which it forms an extension and potential for further future development of the PEA allocation are the key considerations.

8.20 The visual impact of the land to the east development, that will lie immediately adjacent to this site, was considered at the appeal by the inspector. That development, for a greater amount of floorspace with a range of large buildings, was considered to be appropriate to the location. In respect of visual impact on the landscape the inspector stated:

> '*There is also comment about the potential impact on the landscape. The new buildings would be located within sight of the adjacent existing development on three sides and would appear part of the settlement. On the open (east side) the main focus for views is towards the open countryside rather than the appeal site. Consequently, in principle the presence of buildings would not harm the landscape and their design and landscaping would be subject of consideration at the reserved matters stage*.'
>
> (para 70 of the decision letter)

8.21 The Caddick development proposed is consistent with the scale and pattern of development in the area, including recently approved development; and is to be controlled by compliance with the parameters plan.

8.22 The Landscape and Visual Assessment has considered a series of representative views surrounding the site, identified through desktop and field studies. Seven representative viewpoints have been assessed from publicly accessible locations including PRoW, roads, and in the proximity of houses, and a number are shown in indicative views contained within the Design and Access Statement.

8.23 The LVA has also taken account of the external lighting strategy (including controls recommended) and found that the effects of the Proposed Development will be restricted to a localised geographical area and would not result in substantial harm to landscape character beyond the site boundary, nor would there be substantial detrimental effects to visual amenity across a wide area. Accordingly, it complies with CS policies CS10, CS17 and PfE JP-G1.

Green infrastructure, trees and landscape

8.24 The Landscape and Visual Assessment identifies some localised impacts on the landscape character of the Wigan Flashes LCA (Greater Manchester Landscape Character and Sensitivity Assessment), LCA 1C: Edge Green to Land Gate (Wigan Landscape Character) and NCA 56: Lancashire Coal Measures due to a change in land cover and the removal of small areas of existing vegetation across the Site. The Site, the Wigan Flashes LCA and LCA 1C: Edge Green to Land Gate will experience greatest magnitude of effect, but the overall effect is unlikely to be of significance.

8.25 A separate BNG Report, using The Statutory Biodiversity Metric has been undertaken. The Environment Act 2021 received Royal Assent on 9th November 2021 and includes a mandatory 10% biodiversity net gain on all Town and Country Planning Act 1990 developments. Mandatory 10% became law on February 12th 2024.

8.26 The Scheme area totals 7. 65 ha, all existing habitats within the site, with exception of a small section of hedgerow which encroaches into the site on the north - eastern boundary, and the ditch to south-east, will be lost. Based on the Scheme footprint alone, the headline results indicate a loss of - 3.68% habitat units and an increase of 627% linear hedgerow units and 15.3% watercourse units. Discussions with the LPA are taking place with the intention of securing the shortfall in habitat units (2.29 units required) through the purchase of biodiversity credits, which will be used to for enhancement and creation of habitats locally to increase the biodiverse connectivity and ecological corridors within the authority. It is considered that the shortfall in units can be met through this off - site compensation and trading rules also met by creation/enhancement of such habitats.

8.27 The application is accompanied by a Preliminary Arboricultural Impact Assessment (AIA). The report identifies that the site is bounded by pockets of tree cover and hedgerows including 7 individual trees, 5 groups of trees and 1 hedge. No Tree Preservation Orders are present on or within the influence of the site. The Proposed Development will result in the removal of three individual trees and one group of trees, all of which are identified as low quality (Category C) and are typically small scrubby specimens with minimal value that could be replaced in the medium term.

8.28 Landscape mitigation including new planting is proposed surrounding the Site and will assist with the integration of the development with the wider area of Ashton-in-Makerfield. This is a reserved matter, and the parameters plan identifies sufficient room within the site to accommodate replacement planting ensuring compliance with CS policy CS10 and PfE policy JP-G2.

Ecology

8.29 The application is supported by an EcIA prepared by TEP. This confirms that the site is considered to be of low ecological value. It identifies that the site is dominated by arable cropland, with some limited areas of semi - improved poor grassland, dense and scattered scrub, scattered trees, a dry ditch and native hedgerow at the site edges and a further ditch extending south-east from the southern corner. With implementation of the recommended precautionary working methods and replacement planting, no significant ecological effects are expected on statutory or non - statutory wildlife sites, notable habitats or protected or notable species.

8.30 The Greater Manchester Ecology Unit (GMEU) will review the application and ecology survey and will be able to confirm they have been undertaken by suitably qualified ecologists and carried out to appropriate and proportionate standards.

8.31 The surveys identified no significant ecological issues across the development site. It is expected that, subject to imposition of appropriate conditions, GMEU will have no objections to the development in respect of protected or at-risk species or the approach to mitigation. A full overview of mitigation measures identified as necessary

to avoid significant environmental effects is set out within the section 5 of the Ecological Report and an Outline Ecological CEMP. All measures can be satisfactorily controlled through the imposition of suitably worded planning conditions. Accordingly, on ecological grounds the proposal is compliant with PfE Policy JP-G8 and the relevant objectives of the NPPF.

Heritage and Archaeology

8.32 CS Policy CP11 'Historic environment' seeks to conserve and enhance the historic environment. In accordance with paragraph 194 of the NPPF the application is supported by an Archaeological Desk Based Assessment (OBA) complied by Salford Archaeology, which makes use of historic mapping, documentary research and data provided by the Greater Manchester Historic Record to assess the potential for archaeological remains across the application site. The Assessment has demonstrated that there are no built heritage assets within the application site boundary and that the Site has low potential to contain elements of the pre-industrial landscape, including field boundaries and extraction pits / ponds and late 19th- / early 20th-century structures. Any such remains that do exist within the site are likely to be of negligible, or unknown significance. It concludes that following consultation with Greater Manchester Archaeological Advisory Service (GMAAS), in their capacity as archaeological advisor to Wigan Metropolitan Borough Council, no further archaeological works is likely to be required. The Proposed Development therefore complies with the requirements of CS Policy CP11.

Site conditions

8.33 The NPPF requires planning decisions to ensure that new development is appropriate for its location. Where a site is affected by contamination or land stability issues, the responsibility for securing a safe development rests with the developer and/or landowner.

8.34 CS Policy CP17 'Environmental protection' states that the Council will tackle land contamination and land stability issues, primarily on sites affected by past industrial uses and coal mining activities, by promoting the appropriate re-use of such sites and supporting the identification of contamination and stability issues and appropriate remediation.

8.35 Taking into account the coal mining legacy of the area, the site is designated as a Coal Referral Area. To address ground stability issues, a Phase II Geo Environmental Assessment, has been submitted to accompany the application. The reports follows on form a Phase 1 report previously provided to the Council. The phase II report confirms the site has had limited historical land uses having been used for agricultural purposes from first map editions to the present day. Soil tests carried out confirm results were found to be within the relevant screening criteria the site is suitable for the proposed use without the need for remediation.

8.36 As known from other sites in the SLIE the findings include the presence of several coal seams beneath the site at shallow depth, plus evidence of past opencast extraction. It is anticipated that the Coal Authority will recommend the undertaking of further intrusive site investigations to address the coal mining legacy of the site and to ensure

planned development is adequately mitigated. These requirements can be controlled by a planning condition, and as such compliance with CS Policy CP17 can be achieved in this respect.

Climate Change, Flood Risk and Environment (Noise & Air quality)

8.37 In accordance with CS Policy CP16, and the guidance within the revised NPPF, a Sustainable Drainage Systems (SUDS) approach to surface water is proposed to address the drainage across the site. The site is located in Flood Zone 1, identified with the lowest probability for flooding and is not in a critical drainage area (CDA). The Flood Risk Assessment demonstrates that the development will not increase risk of flooding offsite or damage any groundwater source.

8.38 The drainage strategy for the site includes SUDS attenuation basins that will limit water run-off and provide opportunities to enhance biodiversity. The proposals, therefore, comply with policy DM7: Preventing Pollution and Flooding.

8.39 Noise and Air Quality are addressed in separate reports that demonstrate compliance with Policy EV1B.

8.40 CS Policy CP17 aims to help maintain enhance and protect the environment for the benefit of people and wildlife, and make the borough a better place for people to live and businesses to locate and thrive, by, amongst a number of factors, including managing air quality, particularly in Air Quality Management Areas (AQMA), including by minimising the air pollution (and carbon dioxide emissions) likely to arise from new development. PfE Policy JP-P6 is also of relevance and aims to help to improve health and well-being and substantially reduce health inequalities by way of a number of factors, including considering the health impacts of major developments. In addition, saved Policy EV1B of the UDP states that the Council will not permit development which would result in an unacceptable level of air pollution or an unacceptable impact on air quality management area. It is key to note that no part of the site is within the GMCA AQMA.

8.41 The Air Quality Assessment confirms that:

- providing effective mitigation measures are implemented residual impacts from dust emissions during the construction phase are deemed to be 'not significant'
- Construction phase traffic movements are predicted to be below the indicative criteria for assessment and will be insignificant; and
- There will be no significant operational phase impacts on any relevant receptors from road traffic emissions associated with the Proposed Development, including local ecological receptors.

8.42 The modelled noise impact, based on worst-case operation at the extended gardens/ allotments to the rear of dwellings on Bolton Road, does not exceed the background sound levels. It is significantly lower than the lower guideline limit in BS 8233 and WHO Guidelines for Community Noise of 50 dB LAeq,T for moderate annoyance, and as such,

further mitigation considerations are not required. Based on the assessments presented in the report, the site is considered suitable for the proposed development and 24/7 operation is considered feasible. A Noise Management Plan (NMP) to mitigate potential operational noise impact associated with the scheme has been prepared to adopt best practical means to reduce operational noise as low as reasonably practical.

8.43 It should be noted that the Council's environmental health officer had no objection to the larger Land to the east scheme and that, on reviewing the reports on noise and air quality for that application the Inspector concurred. Noise limits have been identified for future fixed plant associated with the development, which does not exceed 5dB below the background sound level during the daytime and night-time assessment periods; and this can be controlled through the imposition of suitably worded planning conditions.

8.44 PfE Policy JP-S2 sets out the aim of delivering a carbon neutral Greater Manchester no later than 2038, with a dramatic reduction in greenhouse gas emissions; this will be supported through a range of measures including setting out requirements, where viable, for all new developments having regard to net-zero carbon, energy efficiency, EV charging points and, for non-residential development, BREEAM rating.

8.45 The NPPF states that LPAs should expect new development, in certain circumstances, to comply with any development plan policies on local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. The application is accompanied by an Energy and Sustainability Strategy, which summarises the requirements of the scheme, in accordance with the relevant guidance in the NPPF and development plan policies.

8.46 The energy statement takes into account land and on-site constraints and considers future designs of the proposed building. The statement seeks to maximise the sustainability of the development and commits to investigating and specifying where viable to ensure compliance with Part L2 of the Building Regulations 2021 (2023). In this respect, and as a minimum, the development will target a Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating of 'Excellent', for Ene-01 – reduction of energy use and carbon emissions; this is consistent with the objectives of PfE policy JP-S2.

Conclusion

8.47 The application site is allocated as a Primary Employment Area in the saved policies of the adopted UDP, and is also part of the existing employment land supply in PfE. It is within the Wigan-Bolton Growth corridor identified in PfE and proposes a form of development (logistics) that is a specific priority to support economic growth across the Greater Manchester sub-region.

8.48 The allocation under Policy EM1A confirms that there is no objection to the principle of the proposed development.

8.49 This section has demonstrated that there is no material conflict with any other policies that may be attributed weight and general compliance with the development plan overall.

9. Conditions and S.106 Obligations

S.106

9.1 The 2010 Community Infrastructure Levy Regulations (CIL) and Paragraph 57 of the Framework, provide the tests for planning obligations. They should only be sought where they are: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

9.2 When considering the application for land to the east the Council had sought a significant contribution to off-site highways works, including for work to Ashton Town Centre. The appointed inspector found that 'Off Site Highways Contribution' did not meet the CIL regulations in that it was not necessary nor reasonably related to the proposal. Accordingly it was removed from the legal agreement. No such off-site contribution is proposed here.

9.3 Accordingly, it is expected that a s.106 Agreement will limited to travel plan monitoring, bus stop improvements on Bolton Road and off-site biodiversity enhancement measures, most likely at Westwood Flash SBI.

Conditions

9.4 With regard to conditions, in order to speed up delivery, Government guidance advises that pre-commencement conditions are used sparingly and only after discussion with the Applicant. Early discussion with the LPA is sought to agree the drafting of all conditions.

10. Conclusion and Planning balance

10.1 This Planning statement has been prepared on behalf of the applicants in relation to the following outline planning application at the land off Lockett Road, Ashton in Makerfield:

"Construction of B2/B8 warehouse accommodation of up to 33,445sqm (360,000sqft) total including integral offices, with associated car and commercial vehicle parking, servicing and landscaping; with new vehicular access from Lockett Road".

10.2 Having identified the appropriate policies in the development plan, along with other relevant material considerations, including the Framework, the decision maker is required to make a balanced decision.

10.3 The site is allocated for employment development for which there is a proven and pressing need in the borough, in an area with acknowledged out-commuting. It is within the Wigan-Bolton strategic growth corridor, and proposes employment development within the key logistics sector.

10.4 The proposal would generate a substantial number of jobs, including training opportunities for the local community, in a location readily accessible by non-vehicular transport. In total the development will create 563 direct FTE jobs and add over £46m to the economy each year.

10.5 It clearly has potential to make a substantial impact on the local and sub-regional economy, as well as providing training and apprenticeship opportunities for local people. The proposed development will have significant positive economic and social benefits to the local area and also to the regional economy by contributing towards the creation of new high-quality logistics space.

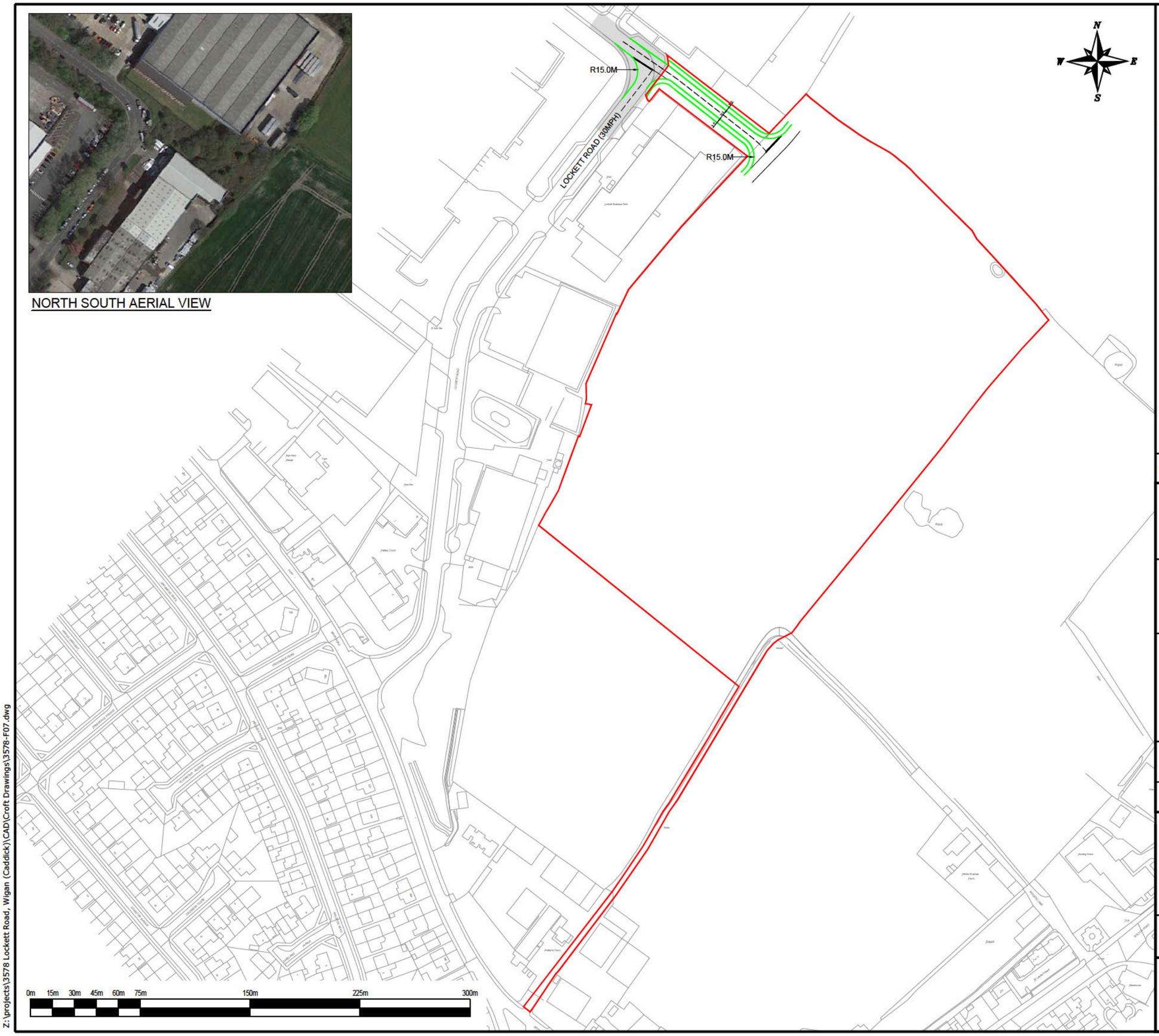
10.6 Strategic economic development policies JP- J1 and J2 explicitly support such employment development. The proposed BREEAM rating, and electric charging are also benefits.

10.7 A suite of technical work has been undertaken which supports the application and which demonstrates the acceptability of the Proposed Development for all disciplines.

10.8 Taken as a whole the proposal accords with the Development Plan.

Section 38(6) of The Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the plan unless material considerations indicate otherwise. This is reiterated in paragraph 2 of the Framework. Paragraph 11(c) of the Framework states that decision making means approving development proposals that accord with an up to date development plan without delay. As the proposal accords with the development plan as a whole and material considerations do not indicate otherwise, permission should be granted without delay.

NORTH SOUTH AERIAL VIEW



NOTES

THIS IS NOT A CONSTRUCTION DRAWING AND IS FOR INDICATIVE PURPOSES ONLY.
THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha

REV	DETAILS	DRAWN	CHECKED	DATE
-	-	-	-	-

CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

SITE BOUNDARY PLAN WITH PROPOSED SITE ACCESS ARRANGEMENT

SCALES:

1:2500 @ A3

DRAWN:	CHECKED:	DATE:
SL	TSB	JUN 2024

Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY

Email: info@croftts.co.uk
Tel: 0161 837 7380
Web: www.eddisons.com/services/transport-planning

DRAWING NUMBER:	REVISION:
3578-F07	-

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Z:\projects\3578 Lockett Road, Wigan (Caddick)\CAD\Croft Drawings\3578-F07.dwg

From: [redacted]
Subject: Lockett Road Application - A/24/97381/OUTMAJ
Date: 08 January 2025 16:21:00

[redacted]

Can I ask if [redacted] will be providing a formal written response on the wording and interpretation of the planning condition, and the implications on the above application?

I spoke with the Agent [redacted] about sharing their Counsel opinion, but was slightly hesitant with sharing it although understood some benefits should Glenbrook decide to JR any decision on the pending Caddick application.

Likewise, I have recently spoke to [redacted] (Applicant – Caddick) who is waiting on a call to discuss this matter with [redacted] (Counsel) and will get back to me. [redacted] was also hesitant, and suggested if both Counsel's concluded the same interpretation, then Wigan Council could refer to their legal Counsel within any delegated report.

Whilst I am waiting a formal response from the agent / applicant, it would be beneficial if we can get a written response from [redacted].

If you have any queries, please do not hesitate to contact me.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
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www.facebook.com/WiganCouncilOnline

From: [redacted]

Subject: South Lancs Industrial Estate - Conference 8/1/25

Date: 20 December 2024 11:29:50

Attachments: Appeal Decision Letter.pdf
CD3.3 - Proposed Illustrative Masterplan - 9812-AEW-XX-XX-PR-A-0504_P6 .pdf
CD3.5 - Proposed Parameters Plan - B9812-AEW-SI-XX-DR-A-0505_P6.pdf
CD3.13 - Extended Location Plan- B9812-AEW-SI-XX-DR-A-0047_P.pdf
Parameters Plan.pdf

Dear [redacted]

We have arranged with [redacted] a Teams call on 8th January to discuss an issue that has arisen concerning the above site.

You may recall the public inquiry early last year where you represented the Council. The first attachment is the Planning Inspector's Decision Letter. Set out below is condition 5 that was attached to the permission granted on appeal. This is at the crux of the issue where your advice is sought, specifically, where it requires a connection between the development site and the remaining Primary Employment Area to the north west terminating at the most northern point (emphasis added).

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:
- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

The second attachment is the proposed illustrative masterplan for the appeal site. It is stressed that this is only illustrative. It shows a possible layout of, amongst other things, internal roads within the site.

The third and fourth attachments are the proposed parameters plan and the extended location plan. I understand that there have been some discussions with the appellant about the submission of a reserved matters application, although nothing has been finalised as yet.

What has been submitted, in June of this year, is an outline application (A/24/97381/OUTMAJ) for neighbouring land that sits to the west of the appeal site. At this stage, I don't need to go into much detail about what has happened during the history of the application, save to say that the application has not yet been determined and the relationship between the LPA and the Applicant might be described as a bit tense. An appeal against non-determination has been threatened, an extension of time was agreed up to October, but that might now have subsided pending both sides seeking legal advice. The main issue between the parties is the inter-connectivity between the applicant's site and the appeal site.

The fifth attachment is the applicant's parameters plan. This shows access to the site being provided from Lockett Road to the north and then an internal road going both left and right, with the right spur being the connection to the appeal site. This is where there is a difference between the applicant and the LPA, as the LPA anticipated that the two sites would be connected at the bottom right hand corner of the application site. The

applicant is steadfastly against any change to the parameters plan to allow for this.

The first question therefore is, where did Condition 5 specify the two sites should be connected? Is the applicant's proposed alignment compatible with the Condition?

Depending on the answer to that question, given that A/24/97381/OUTMAJ is the only detailed application that has been received, would there be any issue with the LPA dealing with A/24/97381/OUTMAJ first, granting a permission based on the parameters plan, meaning that any Reserved Matters application on the appeal site would have to align with it?

A final point, from a highways perspective, is that connectivity between the two sites, whilst preferrable and is good planning, a lack of such connectivity would not result in severe harm to the surrounding highway network.

Hopefully that sums up the issues for your consideration, but [redacted] and [redacted] are copied in, in the event I have got something wrong, or there is any further information that they think would assist. We can of course also deal with any issues when we meet in January.

All being well, that just leaves me to wish you a great Christmas and we look forward to catching up with you in the New Year.

Regards

[redacted]
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[redacted]

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The Planning Inspectorate

Appeal Decision

Inquiry Held on 31 January, 1, 2, 3 February 2023
Site visit made on 31 January 2023

by [redacted]

an Inspector appointed by the Secretary of State

Decision date: 5th May 2023

Appeal Ref: APP/V4250/W/22/3307710
Land southeast of South Lancashire Industrial Estate, Lockett Road, Wigan WN4 8DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Glenbrook Industrial Ltd against the decision of Wigan Metropolitan Borough Council.
- The application Ref A/21/92036/OUTMAJ, dated 8 July 2021, was refused by notice dated 27 April 2022.
- The development proposed is an outline planning application with details of means of access (partial details of access and details of scale, layout, appearance and landscape are reserved) for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road off Bolton Road and associated works.

Decision

1. The appeal is allowed and planning permission is granted for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road off Bolton Road and associated works at Land south east of South Lancashire Industrial Estate Lockett Road Wigan WN4 8DE in accordance with the terms of the application, Ref A/21/92036/OUTMAJ, dated 27 April 2022, subject to the conditions in the conditions annexe at the end of this decision.

Preliminary matters

2. The above address is taken from the application form, but the proposed site access would be off Bolton Road rather than from Lockett Road.

3. The application is in outline with all matters except access reserved. Details of the proposed access onto Bolton Road were provided but not for the rest of the access road through the site, which I return to latterly. A Land use and Building Heights parameters plan was submitted for consideration at this outline stage and a compliance condition is suggested by the Appellant. An illustrative masterplan was also submitted but I have only considered this as titled.

4. The Section 106 agreement signed on 22 February 2023 makes provision for improvements to the existing right of way to the southwest of the site, travel

plan monitoring, bus stop improvements on Bolton Road and off-site biodiversity enhancement measures at Westwood Flash SBI[1]. I consider the agreement latterly.

5. Keep Ashton Green (KAG) participated in the Inquiry as a Rule 6 Party.

Main Issues

6. At the Case Management Conference[2] (CMC), the Council clarified that the reason for refusal related to the effect of the proposal on the operation of the local road network, in particular congestion, with inadequate mitigation proposed. The Statement of Common Ground on highway matters confirms that the Council had no objection on safety grounds.

7. KAG raised pedestrian safety at the CMC, and I also include this as part of the main issue on the operation of the local road network.

8. Part of the appeal site is within the Greater Manchester Green Belt. Whilst the Council did not object to the proposal on the basis that it conflicted with Green Belt Policy, nonetheless, it is a particular consideration in relation to the National Planning Policy Framework (the Framework) which I am obliged to consider.

9. I therefore consider that the main issues are:

- the effect of the proposal on the openness of the Green Belt and whether any harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal; and

- the effect of the proposal on the operation of the local road network, in particular congestion and pedestrian safety, notwithstanding the mitigation proposed.

Reasons

Green Belt

10. The appeal site was allocated as employment land in 1996 as part of a larger development. The northern part of the allocation has been developed and is accessed off Lockett Road. However, that access has not been extended into the appeal site and I am advised that this would be at the behest of another landowner. The inability to achieve access from the northern part of the site has meant that the appeal site has not been developed. This proposal seeks an alternative access to the south, off Bolton Road.

11. The Council[3] mapped the boundaries of the appeal site and the Green Belt. The Bolton Road junction, the access road, drainage ponds and associated landscaping would be within the Green Belt boundary whilst the substation and other buildings would be outside. The road junction works also include a pedestrian pavement extension along Bolton Road[4], which would be within the boundary of the Green Belt.

[1] Westwood Flash SBI as stated in definitions of legal agreement
[2] Case Management Conference note for 7 December 2022
[3] Council Statement of Case Appendix A
[4] S278 General Arrangement

12. Policy CP8 of the Wigan Local Plan Core Strategy (CS) makes reference to the Green Belt but largely defers to national policy, which is the Framework. Paragraph 137 refers to the essential characteristics of the Green Belt being openness and permanence.

13. The Greater Manchester Green Belt Assessment 2016 was undertaken by landscape consultants on behalf of the Councils within the Manchester Green Belt including Wigan. This considers how the designation contributes to the area in terms of national policy. The Assessment finds that for this area, sprawl has been generally avoided, merger of settlements has been prevented but the designation has been weak in terms of encroachment of development.

14. Paragraph 150 of the Framework acknowledges that engineering operations and local transport infrastructure may not be inappropriate in a Green Belt location. It also requires that engineering operations and local transport infrastructure preserve the openness of the Green Belt and do not conflict with the purposes of including land within it

15. The proposed drainage pond, road, footway and junction would be engineering operations due to the nature of the works involved. The Glossary to the Framework does not provide a definition of 'local transport infrastructure'. However, the proposed access road would be built to adoptable standards for vehicles as well as cyclists and pedestrians.

16. The wording in the Framework is very generalised and the proposal is a locally orientated road for all modes of transport. I therefore find that the proposal constitutes engineering operations and local transport infrastructure.

17. Paragraph 150 also has a criterion that such works demonstrate a requirement for a Green Belt location. The appeal site is a long standing substantial employment allocation which has not been implementable due to land ownership. I find that the now intended access through the Green Belt would be necessary.

18. Paragraph 138 of the Framework describes the five purposes of the Green Belt: check the unrestricted sprawl of large built up areas, prevent neighbouring towns merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and assist in urban regeneration.

19. The drainage pond would be low lying and potentially a naturalised shape which with boundary planting would allow it to be perceived as part of the landscape.

20. The pedestrian pavement extension would be adjacent to Bolton Road and would be perceived as part of it rather than an encroachment into the countryside.

21. I find that the drainage pond and pavement extension would preserve the Green Belt openness and do not conflict with the purposes of including land within it, so would not be inappropriate.

22. The access road would be likely to be lined by planting as indicated in the parameter plan which would be akin to new field boundaries. However, the

roadside surface together with the adjacent foot/cycleways would be 7.3m wide which would be unlikely to be wholly screened, particularly so when viewed from the point of the Bolton Road junction. Such a hard surface would be an encroachment into the Green Belt, although due to the size of the belmouth, the access would not have a significant impact.

23. In addition, the Planning Practice Guidance Green Belt[5] refers to the need to consider 'the degree of activity likely to be generated such as traffic generation'. The road would serve a substantial employment area leading to the presence of vehicles, in particular lorries. The movement, colours and texture of these vehicles would harm the sense of openness of the Green Belt.

24. The vehicles would not be a constant feature and would only be experienced for the moment when on the proposed access road. The vehicles would also be perceived from Bolton Road but that itself is a busy road. This would also limit the harm arising.

25. Some lighting would also be expected[6], and whilst the submitted lighting assessment foresees the hooding of lights and a condition is recommended to limit the spillage, some brightness is inevitable as that is the function of lights. Bolton Road has street lighting so from there lighting would only be marginal in its effect, but not so from the adjacent footpath, which is a dark landscape, although at times of darkness this would be expected to be used by very few people. The columns would be visible during daylight but would be expected to be slender. In these respects, the proposal would harm the visual quality of the Green Belt albeit this would be slight.

26. I find that the proposal would harm the Green Belt, by reason of inappropriate development, and it would also be contrary to Policy CP8. Whilst this harm would be very limited, nonetheless Paragraph 148 requires that substantial weight is given to any harm. Paragraph 147 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. I consider this latterly together with any other harms.

The effect of the proposal on the highway network

27. The reason for refusal refers to only one Development Plan policy: Policy CP7. This seeks to maximise the capacity, efficiency and safety of the road network reducing as far as practical the adverse impact of transport on communities, town centres and the wider environment.

28. The Council accept that the thrust of Policy CP7 is not higher than that of Paragraph 111 of the National Planning Policy Framework (the Framework). This states development should only be prevented or refused on highway grounds if there would be a new unacceptable impact on highway safety or the residual accumulative impact on the road network would be severe.

29. Both parties acknowledge the Hawkhurst judgement[7] whereby the test of a severe impact is whether the proposal would in itself create a severe impact.

[5] Paragraph: 001 Reference ID: 64-001-20190722
[6] [redacted] Proof of Evidence paragraph 7.3
[7] R (Hawkhurst PC) v Tunbridge Wells BC & Ors. [2020] EWHC 3019 Admin) at [138]

Highway characteristics of the area

30. The Council confirm their concern is not a safety consideration but one of congestion. Any congestion needs to be considered over the wide road network beyond the vicinity of the site access.

31. The site is on the edge of Ashton-in-Makerfield (Ashton), on the A58 Bolton Road from Wigan. This is a single carriageway which the Appellant suggests is 8.5m wide[8]. It traverses through the suburbs of Ashton into the town centre via several junctions with other roads which have traffic lights or priority junctions as well as pedestrian crossing points. I am advised that the timing of the traffic lights is set at 120 seconds delay which is unusually long to maintain the flow of traffic.

32. There are pedestrian pavements on both sides of this road and lighting which encourage walking. Similarly, there are bus stops serving various routes including Wigan to Ashton.

33. After several miles beyond the town centre and the far side from the appeal site, the A58 joins the M6 at junction 23. This junction has access in both north-south directions whereas the neighbouring junction, 24, to the north has restricted access.

The traffic generation of the proposal

34. The Councils' planning and highway officers agreed the Transport Assessment (TA[9]) at the planning application stage. The Council accept[10] that this is the only data before the Inquiry upon which a judgement can be made on the severity of impacts. However, at the Inquiry Mr Riley on behalf of the Council disputed several aspects of the TA which I explore latterly.

35. The TA uses TRICS figures to determine the likely traffic generation, as requested by the Council at the planning application stage. However, in addition the Appellant undertook a manual count of traffic emanating from the adjacent industrial estate, which has very similar accessibility to the appeal site and type of employment proposed, and so is a valid comparison. The TRICS figures show a 1.5 times higher a.m. peak and 2 times higher p.m. peak than the manual count.

36. The TRICS figures are generic data for traffic generation, which is based on the size of the employment floorspace, whereas some traffic is on the road anyway due to out commuting for employment: there is to be expected an element of 'double counting' as people are currently travelling to work. The Wigan Local Plan Core Strategy[11] (Core Strategy) refers to out commuting from the area, which would be likely to be reduced by more local employment opportunities.

37. In addition, the TA also makes no allowance for the reduction in vehicles due to walking and cycling and car sharing which are promoted in the submitted travel plan.

[8] Paragraph 2.2.1 Framework Travel Plan
[9] [redacted] letter to PINS
[10] Council closing paragraph 21
[11] Paragraph 4.2 Wigan Local Plan Core Strategy, September 2013

38. Thus, I find that the traffic generation figures in the TA represent a worst-case scenario.

Congestion

39. The nearest junction to the appeal site is Bolton Road/Golborne Road. The Appellant acknowledges this is at near capacity and the proposed development would lead to exceedance. The appeal proposal includes provision for the signalisation of this junction and a condition is so proposed. All the parties accept that this would resolve the capacity issue at this point.

40. The overall traffic flow from the appeal site into the town centre has not been modelled, rather the TA calculates the change in flows at each junction, in 2024 for their a.m. and p.m. peaks. The TA's methodology and results were agreed by the specialist Council Officers at the application stage. The Council at the Inquiry did not submit their own evidence to quantify the delay at the junctions but instead relied upon the results in the TA.

41. Bolton Road/Bryn Road which is a signalised junction would be most affected by the proposal with an increase in flow of 11.1% a.m. peak and 8.4% p.m. peak. Gerard Street/Bolton Road also signalled controlled, is the next significant with increases of 7.7% a.m. and 6.2% p.m. The other junctions, Liverpool/Bryn Street and Warrington Road/Lily Lane would have lesser increases. The TA shows the increased traffic hold up and delay movement through each junction would be around a minute or less[12], which I find would be negligible.

42. The potential congestion as an accumulative delay also needs to be considered since that would be the overall effect on the highway. In cross examination of [redacted], the Council asserted the accumulative delay would be 2 minutes 22 seconds at a.m. peak, based on the total of the delays from each junction as shown in the TA. [redacted] accepted that total although did state that it would be the worst case, which I return to shortly.

43. In the absence of any other submitted evidence to the contrary, I find that 2 minutes 22 seconds would be the total peak delay. Whilst any delay is a nuisance and annoyance, I conclude that this would not be significant.

44. Moreover, for longer journeys beyond the town centre, this delay would be a small component. The Appellant[13] reproduces times from 'Google' for a journey from opposite the appeal site through the town centre to the M6 junction 23, a distance of 2.4 miles. This is a representative route for through traffic. It is shown for a Monday and whilst this is a snapshot it is nonetheless based upon Google's extensive data research. The existing journey times are typically 12 minutes with 22 minutes at the morning peak. I find that the additional delay due to the proposal would not be significant.

45. In any event the 2 minutes 22 seconds delay, being the sum of the total delay at each junction, would be likely to be the worst case, as delay at one junction at traffic lights would open a gap at a subsequent junction which then would be utilised once that traffic has moved on. This was indeed the case on three of my four site visits which were at peak times.

[12] Transport assessment/ Mr Tucker Proof of Evidence
[13] [redacted] Proof of Evidence page 36. As measured at the Holiday Inn.

46. In addition, this delay would also be expected to be a worst-case scenario due to the reliance upon the TRICS figures, the assumption that the proposal would be all new drivers travelling to work and not counting the saving of out commuting as well as the benefits from the promotion of cycling, walking and car sharing in the Travel Plan.

47. The Council suggest that improving the Bolton Road/Golborne Road junction would release more traffic thereby potentially moving the congestion. Whilst more traffic would flow at any one time, the current delay at one of the worst points of the highway would be reduced, so that overall, a net benefit would be expected.

48. Similarly, KAG submitted several videos which showed stationary traffic at various points on Bolton Road. However, these were from single viewpoints which can only show snapshots of that part of the road at that particular time, so whilst the traffic may have stopped at that point, it may well be moving elsewhere on Bolton Road. The videos do not show that the delay would any greater than that of the 2 minutes 22 seconds above.

49. The Council at the Inquiry also argued that HGV rates into the town centre were underestimated as the signage consistently directs M6 southbound traffic through the town centre. However, the Appellant's uncontested evidence[14] shows even if all vehicles used the town centre route, the a.m. peak would be a further 14 vehicles/hour inward and 11 vehicles/hour outward. This would amount to an extra 9 vehicles/hour westbound and 7 per hour eastward. I do not find that this accumulatively would be significant.

50. The Council also suggested on street parking at both ends of the Bryn Road/ Bolton Road junction can obstruct the existing flow as it impairs 2 lanes from operating. However, I observed that the immediate areas of both sides of the junction have double yellow lines to restrict parking which would if enforced allow flow and in any event the proposal would not be significant.

51. The Council suggests the alignment of Bolton Road/Bryn Road South junction has an overly tight turning for HGVs. Whilst this is challenging, it nonetheless has been plotted and found feasible. Indeed, it is part of the adopted road network and used on an everyday basis by HGVs so any additional disruption from this proposal would be likely to be minimal, especially as the Council foresee most resulting traffic would go through the town centre rather than this route.

52. The M6 is the other side of Ashton from the appeal site. The junctions' capacity and the demand from this proposal were modelled. The Highways England had no objection and I similarly concur.

Peak spreading

53. The TA shows that the traffic would be distributed over a wider time and the proposal would increase the flow outside of peak hours.

54. The Council's concern is that peak time conditions would be prolonged, and the quieter times encourage residents to walk and allow shops to load goods.

[14] Mr Tucker paragraph 6.7.4 Proof of Evidence

55. However, I noted above that the delay at peak times would not be significant and therefore at other times it would also be insignificant. There may well be some residents who make a conscious choice to go out at quieter times, but no compelling evidence was submitted to demonstrate that such decisions are due to journey times.

Safety

56. The roadside footpaths provide dedicated and segregated routes for pedestrians, which are protected from any hazard on the carriageways. In terms of crossing the roads, there are defined crossing points at most of the desire lines across the A58. Whilst there is a 690m gap at one point, a pedestrian could make the decision to cross the road early.

57. There are a couple of primary schools between the appeal site and the town centre but generally they are away from the appeal site. Secondary schools are located the other side of Ashton from the appeal site. Thus, although some school children may well be walking in the vicinity of Bolton Road, the most likely school footfall would be expected to be concentrated away from the appeal site environs.

58. KAG reproduce statistics of incidents for the area, which are also considered in the Transport Assessment. Whilst the several incidents referred to are regrettable, these are few and do not appear out of the ordinary. No demonstrable evidence was produced to show that they are any different to any other suburban area.

59. The statistics also show the incidents are away from the intended site access, which indicates that the immediate environs are relatively safe. The site is within a 30mph limit, appropriate visibility splays[15] can be provided, and pedestrian crossing points are shown. The pavement extension would provide segregated access to the bus stops.

60. In addition, no evidence was submitted to the Inquiry to show that delay in traffic flow arising from the proposal would lead to poor driver behaviour, thereby harming safety of road users or pedestrians.

61. Whilst the existing traffic, including HGVs, may be noisy and obtrusive to the experiences of pedestrians, no demonstrable evidence was presented to the Inquiry that pedestrian safety would be jeopardised by the proposal.

62. The signalisation of the Bolton Road/Golborne Road junction would help pedestrian movements by formalising that crossing point.

63. I therefore find that the proposal would not harm pedestrian and highway safety. The Council confirmed that safety was not a concern and I similarly concur.

Conclusion

64. The mitigation measures proposed would be proportionate and appropriate to address the effects of the proposed development. The proposal would not be harmful to the operation of the local road network and accords with Policy

[15] 2.4 by 59m visibility splay.

CP7 in so far as it maintains the capacity, efficiency and safety of the road network, whilst minimising as far as practical the adverse impact of transport on the community and town centre. Similarly, the proposal would accord with paragraph 111 of the Framework in so far as it would not lead to an unacceptable impact on highway safety or lead to severe residual cumulative impacts on the road network.

Other matters

65. Air quality is a concern of many residents and [redacted], the local M.P. There is an air quality management zone 300m to the northeast. However, the Appellant submitted a study quantifying the existing situation and the air borne emissions from construction activity and traffic resulting from the operational development, at various receptor points in the area including the through roads in the town centre. The study showed that effects of the proposal would not be significant. This was considered by the Council's environmental health officer who had no objection and I similarly concur.

66. Local residents and the local M.P. also have concern about noise disturbance. A noise impact assessment was submitted at the application stage, to consider the effect on the living conditions of nearby residents. In accordance with its recommendations acoustic fencing is proposed around the edge of the development where it borders residential properties and noise limits on the boundaries are also suggested in terms of a condition. The land use and building heights parameters plan also shows an area of landscaping between the development and the rear gardens, which would provide separation. The Council had no objection on this aspect, and I similarly concur.

67. KAG and local residents referred to the loss of part of a coppice inside the eastern boundary of the appeal site. These are mixed species and immature, which the submitted Preliminary Arboriculture Impact Assessment categorises[16] these trees as largely C and U values, the lowest ratings. Some B valued trees would be lost but these are few and are away from public view. Part of the coppice would be retained and reinforced/replanted to form a 'robust screen' as part of the managed landscaped boundary around the site as shown on the parameters plan[17]. The above assessment identifies some trees have structural issues and there are others with ash dieback. The Council had no objection to the proposed tree removal, and I similarly concur.

68. Local residents also express concern about the effect on ecology. An ecological assessment has been submitted which did not find notable species or habitat. In addition, a safeguarding condition for final surveys prior to development is suggested and areas of landscaping are available for any potential mitigation. The proposal also makes additional provision for off-site biodiversity improvements to ensure that an overall biodiversity gain would be achieved. Accordingly, I find that the proposal would not be harmful.

[16] Criteria provided in BS 5837:2012
[17] Notation in landscape strategy proposals. The landscaped area is shown in the land use and building heights parameters plan for consideration at this stage.

69. Several objections have been made about the loss of opportunities for dog walking and recreation use, which has health and well-being benefits for local residents. However, with the exception of peripheral footpaths which would be maintained, there are no public rights of access across the site.

70. There is also comment about the potential impact on the landscape. The new buildings would be located within sight of the adjacent existing development on three sides and would appear part of the settlement. On the open (east side) the main focus for views is towards the open countryside rather than the appeal site. Consequently, in principle the presence of buildings would not harm the landscape and their design and landscaping would be subject of consideration at the reserved matters stage.

71. Comments have been made about inadequate parking provision however the layout at this stage is indicative only and the Council's standards would need to be considered latterly in the detailed layouts at reserved matters stages[18]. Flooding is also raised but the site is within Zone 1 which is the lowest area of risk. Surface water run-off could be suitably attenuated so that there is no significant risk to the surrounding area.

Planning Obligation

72. The 2010 Community Infrastructure Levy Regulations (CIL) and Paragraph 57 of the Framework, provide the tests for planning obligations. They should only be sought where they are: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

73. The legal agreement has a blue pencil clause[19] for an offsite highway contribution whereby that can be struck out if I am not so minded in terms of the above tests.

74. At the application stage, it was agreed that the Section 106 agreement would provide funding for additional road markings at junction 24 of the M6 to help direct traffic and improve flow. Subsequently the Tritax Symmetry Ltd proposal[20] was allowed and made such provision, so this was no longer required from this proposal. The Council sought to instead seek a £227,500 'Off site Highways Contribution' for works elsewhere. The Appellant argued at the Inquiry that such measures are not compatible with the CIL tests.

75. The CIL Compliance Statement submitted 1 February 2022 sets out the 'Off site Highways Contribution'. This includes greening the town centre which would not be related to congestion. In addition, the other potential measures include a review of TRO[21], signage and road marking, pavement build outs and pedestrian improvements which were not clearly demonstrated to be needed for safety as a result of this proposal and I have found that the proposal would not significantly exacerbate congestion. Accordingly, I do not find that the 'Off Site Highways Contribution'[22] meets the CIL regulations in that it is not necessary or reasonably related to the proposal.

[18] Paragraph 4.4.1 of the Transport Assessment
[19] A blue pencil clause allows certain provision(s) in an agreement to be struck out whilst other provision(s) may be found to be enforceable.
[20] A/18/85947 and APP/V4250/V/20/3253242
[21] Traffic Regulation Order
[22] Schedule 2 contributions clause 3

76. Whilst some biodiversity measures would be achieved on site, they would be supplemented by provision of £125,000 towards ecological works/measures at the nearby Westwood Flash SBI to allow an overall positive biodiversity net gain. This would meet the requirements of paragraph 180 of the Framework and Policy CP12. Other contributions of £10,000 for improvements to the existing right of way to the southwest of the appeal site, £2,500 for travel plan monitoring, £10,000 bus stop improvements on Bolton Road would promote non-vehicular access to the employment as supported by paragraph 8 of the Framework and Policy CP7. I therefore conclude these provisions would meet the CIL tests: being necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.

77. The works to signalise Bolton Road/Golborne Road junction are suggested as a condition, which I consider latterly.

Other considerations

78. Paragraph 148 of the Framework requires that substantial weight is given to any harm to the Green Belt together with any other harm from the proposal.

79. I have found that the proposal would lead to very limited harm to the Green Belt, but that is the only harm arising.

80. The site has been identified in Policy EM1A as a primary employment land allocation since 1996 and remains allocated as such as confirmed in Wigan Replacement Unitary Development Plan Remaining Policies, April 2006. It is clear that access cannot be found from any other location and given the delay of nearly 30 years, there is a pressing need for a solution.

81. The Council accept that the site is free of fundamental constraints to prevent development, if this new access arrangement is allowed. The Appellant foresees implementation would be expeditious.

82. The Council's Monitoring Report (AMR)[23], shows it is very short of employment land provision which threatens its growth and economic prospects. Policy CP5 commits to make provision for around 200 hectares of new employment land to meet needs to 2026, equating to around 13.33 hectares per annum. However, implementation has been significantly below this with only 24.65 hectares developed during the period 1 April 2011 to 31 March 2022, equating to just 2.24 hectares per year.

83. The table at Figure 4.1 of the AMR shows a clear picture of meagre employment development. However, paragraph 4.4 of the AMR states 'good quality sites are quickly developed when they become available in the borough'. In addition, the Locket Road part of the allocation has been largely completed which shows the potential attractiveness of the immediate vicinity for employment development. The application details[24] show that 871 new jobs would be created on the site when fully operational and a further 281 jobs in existing supporting businesses, which even taken as a ballpark would be important for the area.

[23] Wigan Authority Monitoring Report for 2021/22, published January 2023
[24] Planning Statement paragraph 8.21 and Economic Impact Assessment paragraph 4.3

84. Based on data from the English Index of Multiple Deprivation (2019)[25], the environs of the appeal site are one of the top 30% most deprived areas nationally, whilst neighbourhoods close by are ranked amongst the 10% and 20%.

85. The Core Strategy considers the out commuting of the Wigan Borough residents for employment as one of its key issues, which the AMR[26] quantifies currently as 44%. The Council at the Inquiry confirmed that the shortage of employment opportunities is contributing to such out commuting. The proposal is readily accessible to an extensive residential area which would provide alternatives to such out commuting.

86. In addition, the AMR at paragraph 4.6 notes the overall loss of 76.51 hectares of employment land within Primary Employment Areas since 2011, with the vast majority being for housing. Substantive evidence of other available alternative employment sites outside the Green Belt was not presented to the Inquiry.

87. Whilst KAG questioned the need for the employment, the AMR is the Council's robustly researched document which quantifies the situation in planning terms.

88. The appeal proposal would be a substantial and deliverable contribution to the Council's employment land provision. This is important for the economic prosperity of the area; it would support the social well-being of the community and environmentally would place jobs close to residents without the reliance upon private vehicles[27]. Indeed, a condition is suggested for submission of a Training and Employment Management Plan with the aim of promoting the prospects for local people. Similarly, the submission and implementation of a Construction Training Plan would also benefit local people in construction. Both measures are supported by Policy CP5.

89. The suggested conditions include BREEAM rating and electric vehicle charging which would also be an environmental benefit by promoting low carbon development.

90. Whilst giving substantial weight to the harm to the Green Belt, I therefore find that the very considerable benefits of the proposal would clearly and demonstrably outweigh the potential harm. I therefore find that very special circumstances exist.

Planning balance and compliance with Development Plan

91. The proposal would conflict with Policy CP8 by reason of its very limited harm to the Green Belt. However, in all other respects the proposal would not be harmful. Indeed, I have found that the proposal would maintain the capacity, efficiency and safety of the road network, and so would not conflict with Policy CP7.

92. The site is allocated for employment development for which there is a proven and pressing need, in an area with acknowledged out commuting. The proposal would generate a substantial number of jobs in a location

[25] Economic Impact Assessment paragraph 4.3 and figure 2.1
[26] Page 12
[27] [redacted] Proof of Evidence Table 1: 13,519 people live within 2km

readily accessible by non-vehicular transport. Indeed, the proposal includes training opportunities for the local community and a Travel Plan. Policy CP5 supports employment development. The proposed BREEAM rating and electric charging are also benefits. I therefore find the proposal would not conflict with the Development Plan when taken as a whole.

93. Section 38(6) of The Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the plan unless material considerations indicate otherwise. This is reiterated in paragraph 2 of the Framework. Paragraph 11(c) of the Framework states that decision making means approving development proposals that accord with an up to date development plan without delay. As the proposal accords with the development plan as a whole and material considerations do not indicate otherwise, I therefore find the proposal acceptable.

Conditions

94. Paragraph 56 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions. Both parties have collaborated on the suggested conditions and are in agreement. However, the Framework is clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning, and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have assessed the suggested conditions accordingly. Pre-commencement conditions have been minimised and agreed by the main parties.

95. The condition listing the approved plans would provide clarity and certainty. The details for the Bolton Road access were submitted as part of the details for consideration at this outline stage[28]. However, the remainder of the road system has not been designed. All main parties agreed at the Inquiry that access should be a reserved matter with the Bolton Road junction details covered in the condition requiring compliance with approved plans. I concur with this approach but have prefixed the access with internal for clarity.

96. The signalisation of the Bolton Road/Goldbourne junction is suggested by a Grampian[29] condition. The PPG advises that such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission. A plan was submitted with the application showing feasibility of the works and I am advised that the works would be within the public highway and the highway authority are supportive. I therefore find that in principle the condition is necessary.

97. However as discussed at the Inquiry, the clarity of the condition is important so implementation would be ensured as this is necessary to mitigate the impact of the development. The condition as suggested[30] requiring approval of details could lead to potential delay and uncertainty which could undermine the deliverability of the access: the condition must be clear in its

[28] Part 4 application form indicate access is for consideration at this stage
[29] A condition requiring off site works, outside the Appellant's ownership, usually highway matters, prior to the development
[30] The scheme shall detail the new junction arrangements, vehicle tracking and include traffic signals and pedestrian controlled crossings within the adopted highway, plus any works that are necessitated by the development.

intention and requirement. The broad form (at 1:500 scale) of the junction has been agreed in the submitted plan and the finer details and specifications within the public highway would be a matter for the road adoption process. The condition is re-worded to simply focus on the delivery of the access.

98. The Appellant and Council agree that it is physically possible to join the existing access at Lockett Road to make a through route. Whilst this would need land outside their control and the wishes of another landowner cannot be assumed, nonetheless they recommend a condition to safeguard this potential. I find that the implementation of both accesses, if it did take place, would help the accessibility of both employment areas to the surrounding residential areas for pedestrians and cyclists and help traffic go in their preferred direction. Accordingly, I impose this condition.

99. The suggested condition to require access, manoeuvring and parking is unnecessary as those would be shown in the reserved matters and implementation would be expected as a matter of course for the user's own benefit. This is not imposed.

100. A condition to require the submission of the details of external lighting would ensure that light pollution is limited to that necessary for the safety of highway users as well as security around buildings, whilst minimising spillage to the surrounding area and disturbance to wildlife. The suggested condition is re-worded for simplicity.

101. The archaeology condition would ensure that any potential remains on this greenfield site are properly recorded and the results are available to be appreciated by the public.

102. The travel plan condition would require submission of details for each unit. It would be based on the Travel Plan Framework which seeks to promote car sharing, walking and cycling and bus use. This would help maximise the accessibility of the site to encourage low carbon travel to work. This is re-worded to require timely implementation for each particular building.

103. The condition requiring submission and implementation of Construction Training and Employment Management Plans would help employment and skills of local people which would support the social and economic wellbeing of the local community. As I found earlier these would be a material benefit of the proposal in accordance with Policy CP5. The requirement is re-worded to require timely implementation for each particular building.

104. A condition requires the reserved matters applications for layout and landscaping include a biodiversity strategy and targets. The specific reference to the DEFRA metric is amended to allow for future update. Similarly, accepted by all parties, the condition requires wildlife surveys to provide a check before development to avoid any harm. This is re-worded to ensure that the surveys are timely and undertaken to an approved methodology. Mitigation if needed could be arranged within the landscaping areas.

105. The condition confirming the reserved matters submissions includes landscaping. An additional condition refers to the management and retention of the landscaped edge around the site as shown on the land use parameters

plan. The suggested wording is amended to require this area to be the subject of a prompt reserved matters application detailing the landscaping works, implemented to an approved timetable so as to soften the development. Tree retention within this area is also included. A condition is foreseen in the Preliminary Arboriculture Impact Assessment for the submission and approval of the arboricultural management and protection measures, I concur that its measures would be needed to help the health and contribution of the trees to the site and surroundings. This condition includes tree protection measures, so the suggested additional condition is unnecessary. The measures need to be in place at the outset of development hence the pre-commencement trigger.

106. A condition on the compliance with the height parameter plan is necessary to confirm this consideration at this outline stage and in the interests of the appearance of the development. Equally a condition to agree existing and proposed ground levels is necessary.

107. Two conditions are suggested for measures to protect the living standards of residents during construction. I find that they are necessary to minimise the disturbance but have combined them in one requiring the submission and approval of a Construction Method Statement. Similarly, as I found earlier the provision of the acoustic fence and noise limits would be necessary to maintain living conditions of local residents. Operational conditions on the management of dust, fumes and odours are also necessary to ensure these potential nuisances are minimised to respect the nearby residents. The condition on Japanese Knotweed is necessary to avoid risk of spreading a potential invasive problem.

108. The condition on drainage plans would ensure that provision is made for this essential need and the prevention of problems in the vicinity. The condition is worded as pre-commencement as other matters such as landscaping could constrain opportunities. Similarly, a condition on the use of SUDS is necessary in the interest of efficient water management.

109. The conditions requiring provision of cycle parking facilities and cycle/pedestrian connectivity would encourage low carbon travel to the development. Similarly, the submission of the Electric Vehicle Infrastructure Strategy would ensure that adequate provision is made for employees, visitors and delivery vehicles. The condition requiring compliance with the submitted energy efficiency measures is similarly needed in respect of the wider low carbon environment. The BREEAM requirement is included in the same condition as a compliance matter rather than submission of certification to ease administration.

110. The inclusion of crime prevention measures in the reserved matters proposal would help the safety and security of people, property and the community. The conditions on coal mining and land contamination would ensure that the potential is investigated and if necessary remediated so that there are no resulting problems for the site and surroundings.

Conclusion

111. I therefore conclude that the appeal should be allowed subject to the conditions in the conditions annexe below and the provisions of the section 106 agreement but without the 'Off Site Highways Contribution' in Schedule 2 clause 3.

[redacted]

INSPECTOR

List of appearances

For the Council

[redacted] Kings Chambers

[redacted] Director WSP

[redacted] Principal Planning Officer Wigan BC

For the Appellant

[redacted] Kings Chambers

[redacted] Kings Chambers

[redacted] DTA Consultants

[redacted] Partner Gerald Eve

Rule 6 Party: Keep Ashton Green

[redacted] local resident

[redacted] local resident

[redacted] Branch Secretary Wigan Trades Council

Interested parties (local residents)

[redacted]

For the planning obligations round table

[redacted], Group Lawyer Wigan Council

[redacted] Managing Associate Freemans

Documents submitted to the Inquiry

ID1 Appearance list for the appellant

ID2 Appellant opening statement

ID3 Council opening statement

ID4 KAG opening Statement

ID5 Additional working for condition 24 noise

ID6 Council CIL compliance statement

ID 7 list of amended planning conditions

ID 8 Council list of appearances

ID 9 Council closing statement

ID10 KAG closing statement

ID10 Appellant closing statement.

Conditions annexe

1. Applications for all reserved matters shall be submitted to the Local Planning Authority within 3 years of the date of this planning permission. The development hereby approved shall commence within 2 years of the last reserved matters approval.

2. The development hereby approved shall be carried out in accordance with the details indicated on plan references:

- Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1
- Site Access - Priority Junction Drawing No 19479-02-GA Rev C
- Site Access - Priority Junction Vehicle Tracking Drawing No 19479-02-TRACK Rev D
- Land Use and Building Height Parameters Plan - B9812-AEW-SI-XX-DR-A-0505 Rev P6
- Proposed Substation Location Plan B9812-AEW-SI-XX-DR-A-0046 Rev P1
- Proposed Sub Station B9812-AEW-XX-XX-DR-A-0045 Rev P2
- Travel Plan Framework - Ref. 19479-04a
- Proposed Energy and Sustainability Requirements and Strategy (30/03/2021 – 6117/17/05)

3. Prior to the commencement of any use hereby permitted on the appeal site, the Bolton Road/Golborne Road junction shall be amended in accordance with plan reference 19479-05-GA Rev E together with signalised pedestrian controlled crossings in accordance with details submitted to and approved by the Local Planning Authority beforehand.

4. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the following matters: internal access, scale, appearance, layout and landscaping.

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:

- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

6. Any reserved matters application in respect of scale shall be limited to those heights detailed on plan reference: Land Use and Building Height Parameters Plan - B9812-AEW-SI-XX-DR-A-0505 Rev P6.

7. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

(i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
(ii) full details of the finished floor levels of all buildings and hard surfaces.

8. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with that specific unit on the site. The facilities shall be maintained as approved thereafter.

10. Any reserved matters application in respect of layout or landscaping shall include a biodiversity strategy, implementation and management plan to ensure a total of 17.22 on-site based habitat units, plus a minimum of 5 hedgerow units, when calculated against the site's baseline position using the latest DEFRA Metric, are achieved within the site as shown on plan reference – Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1. The strategy will demonstrate that all reasonable opportunities for the planting of hedgerow and biodiversity connections within the reserved matters application site boundary have been assessed.

11. Prior to the commencement of development, the following shall be undertaken by a qualified ecologist to a methodology and timetable submitted to and approved by the Local Planning Authority beforehand:

- An updated Ecological Assessment
- Bat Activity Survey
- Bird Survey and wintering birds' assessment
- An Amphibian Assessment
- A bird nest, bat commuting and amphibian habitat mitigation strategy

The above including the results from the surveys shall be submitted to the Local Planning Authority for approval within one month of completion, together with any mitigation measures including a timetable for any their implementation. The development shall thereafter be constructed in accordance with the approved mitigation measures to the approved timetable for their implementation.

12. Within 2 years of the first submission of reserved matters, a reserved matters application for landscaping details shall be submitted for the area coloured green and annotated for 'proposed landscaping, ecological mitigation, site reprofiling, surface water drainage, access roads and infrastructure' in the 'Land Use and Building Height Parameters Plan B9812-AEW-SI-XX-DR-A-0505 Rev P6'. It shall include: full details of hard and soft landscaping, retention of existing trees, and details maintenance and management, together with a timetable to implement each of the above. The above shall be implemented in accordance with the approved timetable and maintained as approved thereafter.

13. Prior to the commencement of the development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively, the following matters:
- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;
- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;
- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;
- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;
- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and
- A list of contact details during development.

The development shall be fully undertaken in full accordance with the approved AMS.

14. Prior to the commencement of development, notwithstanding the details within the recommendations of the Flood Risk Assessment & Drainage Statement Title

Meridian 6, Version Rev B, full details of the Sustainable Drainage System (SUDS), including;

- Detailed arrangements for the methods to attenuate and discharge surface water from the site;
- Detailed scale plans of the SUDs pond;
- Micro drainage reports and flood route plan;
- SUDS maintenance plan;
- Detailed plans of required culvert;
- Details of additional storage for geocellular storage vessel;
- Details of proposed pollution control measures for surface water runoff from car parks;
- Proposals for conveying water of existing watercourses (drains, ditches) on site shall be submitted to and approved in writing by the Local Planning Authority.
-Management and maintenance details.

The development shall be implemented in full accordance with the agreed details only.

15. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

16. No development shall commence until;

a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

17. Prior to the occupation of the development (or any phase), or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

18. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:
1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:

i - archaeological evaluation trenching
ii - informed by the above, more detailed targeted excavation (subject of a new WSI).

2. A programme for post investigation assessment to include:
i - analysis of the site investigations records and finds
ii - production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

19. Prior to the commencement of development hereby approved by the Local Planning Authority, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2014"), vibration impacts, mud on the road, the storage of building materials, equipment and plant, and the placement of site cabins, site offices and storage containers. The approved CEMP shall be implemented before the construction works are commenced and shall be adhered to for the duration of the construction works.

20. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction, access road and drainage pond in accordance with drawing references: C1238-S38-001 Rev B and 19479-02c-GA Rev C), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified and a Remediation Strategy, including remediation options appraisal, verification plan, and a Gas Protection Design Report, shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

21. The development hereby approved shall only operate in accordance with the following noise parameters:

Operational Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (unless stated otherwise), shall not exceed the following cumulative levels from operational noise from Units at the development site, at the following nearest identified noise sensitive properties to the site.

R1 – Lily Farm Croft
Monday to Sunday 07:00 to 23:00 37dBA
Monday to Sunday 23:00 to 07:00 34dBA

R2 – Bolton Road
Monday to Sunday 07:00 to 23:00 40dBA
Monday to Sunday 23:00 to 07:00 37dBA

R3 – Walter Street
Monday to Sunday 07:00 to 23:00 39dBA
Monday to Sunday 23:00 to 07:00 36dBA

R4 – Woods Lane
Monday to Sunday 07:00 to 23:00 35dBA
Monday to Sunday 23:00 to 07:00 33dBA

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from fixed plant noise from the development site, at the following nearest identified noise sensitive properties to the site.

R1 – Lily Farm Croft
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R2 – Bolton Road
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R3 – Walter Street
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R4 – Woods Lane
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

22. Prior to the commencement of the construction of any building, a close boarded timber fence to the height between 2.5m to 4m high, as shown in Figure 4 and specified in s5.4 of the e3p Noise Impact Assessment reference 50-198-R1-4 dated October 2021 shall be implemented in full. Once implemented, the fence shall be retained as such thereafter.

23. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odours (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

24. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

25. No development shall take place until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

26. Prior to first occupation of each building a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority for that building. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

27. Prior to first use of the development, an Electric Vehicle Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The electric vehicle charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated

with that phase could occur in parking or servicing areas not provided with charging points from the outset.

28. No external lighting shall be installed other than that submitted to and approved in accordance with the details submitted to and approved by the Local Planning Authority beforehand. The lighting shall thereafter be maintained and operated in accordance with the approved details.

29. Prior to first occupation of each building, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan - Travel Plan Ref 19479-04a. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

30. All new buildings approved as part of any reserved matters application shall be designed and constructed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (30/03/2021 – 6117/17/05) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 'Good'.

31. Prior to commencement of development other than demolition, a method statement for the removal of Japanese Knotweed from the site including a schedule of implementation, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented in full.

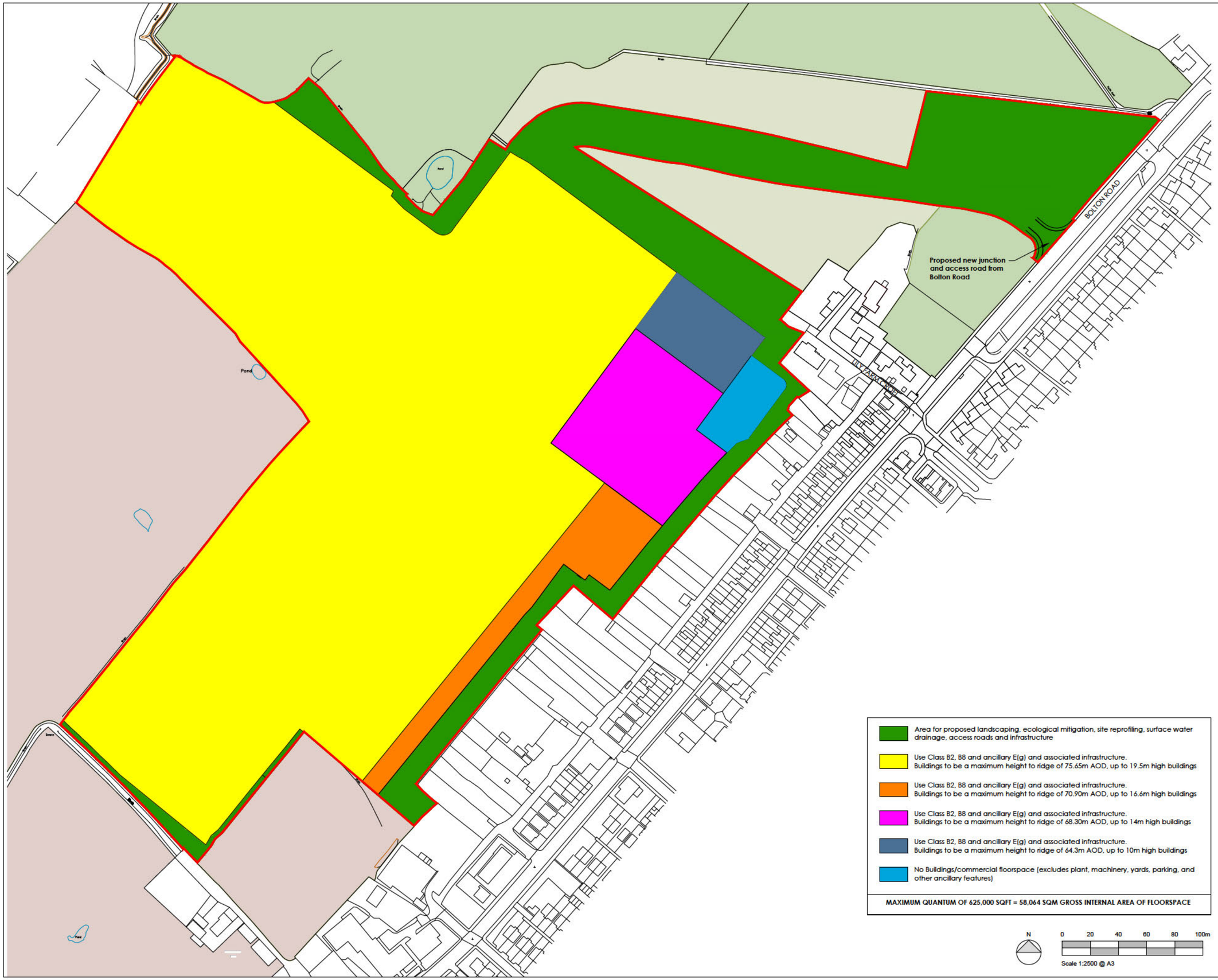
End of conditions

NOT FOR APPROVAL

Maximum quantum of 625,000sqft = 58,064sqm Gross Internal Area of Floorspace

Meridian 6, Wigan - Illustrative Masterplan

9812-AEW-XX-XX-PR-A-0504_P6 Date: 11/05/21 Scale: 1:2500 @ A3 Drawn: MB/MC Checked: DOH



NOTES

AEWTP029C

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- Any discrepancies are to be reported to the architect before any work commences
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
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- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties: **Yes**
Principal Designer: **Client**

Unless noted below, all known hazards have been highlighted on the drawing:

REV	Date	Drawn by: -	Checked by: -
P6	22/03/2022	HN	DOH
Height parameter amended, adding light and dark blue.			
P5	28/06/2021	MB	DOH
Height parameter to yellow shaded area amended.			
P4	31/03/2021	MB	DOH
Area for proposed landscaping updated			
P3	26/02/2021	DOH	AS
Land use and parameters added to a key			
P2	03/12/2020	DOH	AS
Landscape connectivity shown to eastern boundary. Lower height parameter zones shown in magenta and orange			
P1	24/11/2020	DOH	AS
Initial issue			

Status	Purpose of Issue
S2	For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Land Use and Building Height Parameters Plan**

date: 24/11/2020 drawn: DOH
scale@A3: 1:2500 checked: AS

Rev: **P6**

Job No: **B9812-AEW-SI-XX-DR-A-0505**

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0161 214 4370
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N

0 40 80 120 160 200m

Scale 1:5000 @ A3

NOTES

AEWTP029C

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- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties:

Principal Designer:

Unless noted below, all known hazards have been highlighted on the drawing:

REV	Date	Drawn by: -	Checked by: -
P1	28/07/2021	MC	DOH
Initial Issue			

Status: S2

Purpose of Issue: For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Extended Location Plan**

date: 28/07/2021 drawn: MC

scale@A3: 1:5000 checked: DOH

Rev: **P1**

Job No: **B9812-AEW-SI-XX-DR-A-0047**

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Work and materials must comply with the current building regulations and codes of practice and be read in conjunction with building specifications and other sub-contractors information. All materials are to be installed in strict accordance with the recommendations of the manufacturers.

NORTH

HEIGHT ZONE MAXIMUM 22m (FFL : 54.785 +/- 0.5m)

PRIMARY ACCESS

PROPOSED ROADWAY

LANDSCAPING AND SUDS

ADJACENT SITE GRANTED OUTLINE PLANNING

Rev	Description	By	Chkd	Date
F	SCALE BAR INCLUDED			
E	RED LINE INCLUDED	JB		18.03.24
D	GENERAL UPDATES	JB		07.03.24
C	RED LINE UPDATED	JB		04.03.24
B	RED LINE UPDATED	JW		27.02.24
A	UPDATE TO SUIT COMMENTS	JB	JW	30.01.24

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

PARAMETERS

KPP ARCHITECTS

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Horsforth, Leeds LS184RJ

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W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:500	A0	JAN'24	JB	JW

Status

PLANNING

KPP Job No	Rev
2387	F

Number

2005

0m 25m 50m 75m 100m

[redacted]

From: [redacted]
Sent: 02 January 2025 15:18
To: Proctor, David
Cc: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ - Counsel's Opinion
Attachments: Caddick South Lancashire Industrial Estate - Opinion Richard Sagar WM.pdf

Categories: Dealt with, Read/Respond/Action

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Good afternoon David,

Before Christmas I said I would send you Counsel's opinion on the ability of your authority to grant permission for the Caddick scheme without prejudicing Glenbrook's ability to comply with Condition 5 of their permission.

This is now attached.

You'll l note that this concludes "*there would be no impediment to the approval of reserved matters and the satisfaction of condition 5 of the Appeal planning permission if the location of the connection proposed on the Appeal Site aligned with that proposed by Caddick.*"

I hope we can now move swiftly to a delegated approval.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

Please consider the environment before printing this email

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Opinion

Caddick Developments – Land at South Lancashire Industrial Estate, Wigan

1 Introduction

1.1 Walker Morris has been asked by Caddick Developments (Caddick) to offer an opinion in relation to the interpretation of a planning condition imposed on the grant of a permission, following a planning appeal. The permission (appeal decision) is dated 5 May 2023 and relates to "Land Southeast of South Lancashire Industrial Estate, Locket Road, Wigan". The appeal reference is APP/V4250/W/22/3307710. It is referred to in this opinion as the Appeal, and the site of the Appeal is referred to as the Appeal Site.

1.2 Caddick has made an application to develop land off Locket Road to the northwest of the Appeal Site.

1.3 The Appeal related to the grant of outline planning permission. The detail of the means of access to the Appeal Site from Bolton Road was approved and other matters were reserved. The terms of condition 2 of the Appeal decision confirm approval to the location plan, two access drawings, a land use and building heights parameters plan, two substation plans, a travel plan framework and an energy strategy. An illustrative master plan was submitted with the Appeal and was titled illustrative and "Not For Approval". The Appeal inspector dealt with it in that way as well, as is apparent from paragraph 3 and the terms of condition 2 of the Appeal decision.

1.4 From the Appeal decision, at paragraph 98 it is clear that both the Appellant and the Council confirmed to the Inspector that it was "*physically possible*" to join the Appeal Site to the "*existing access*" of the existing industrial area "*at Locket Road to make a through route*". It was recorded that whilst this would involve third party land and the wishes of that party could not be assumed, it was recommended by the Appellant and the Council that a condition be imposed to *safeguard the potential* for this connection, as it would help with accessibility and help "*traffic go in their preferred direction*" (sic). The Inspector went on to say that accordingly he would impose such a condition.

1.5 Condition 5 was imposed by the Inspector on the grant of planning permission. This condition requires any reserved matters application in respect of layout to be accompanied by a connectivity and implementation plan which shall include several things. These include detailed plans showing a continuation of the estate road from the Appeal Site access, "*including a connection between the development site …. and the remaining Primary Employment Area Land allocation (accessed off Locket Road) to the north west terminating at the most northern point*." The condition continues to require timing of the construction and implementation of the roads and connections in full, relevant to each reserved matter." There is no reason stated for the condition, as is the way with appeal decisions, however it can fairly be said that the reasoning is that set out in paragraph 98 of the Appeal decision, as summarised above.

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1.6 The remaining Primary Employment Area referred to in condition 5 would appear to be the area allocated under policy EM1A "Primary Employment Areas" of the 2006 Wigan UDP. The allocated area is an extensive area of land to the northwest of the Appeal Site shown on the Allocations plan for the UDP.

2 The Law

2.1 The question of interpretation of planning conditions has been considered by the Courts on numerous occasions. The approach to interpretation of conditions was considered in detail in the case of *Trump International Golf Club Scotland Ltd v Scottish Ministers [2015] UKSC 74*.

2.2 The key aspects of that decision and the approach to interpretation are as follows:

(a) One is to ask what a reasonable reader would understand the words of the condition to mean when read in context of the consent and the other conditions, as a whole. This is an objective exercise having regard to the natural and ordinary meaning of the words, the purpose of the consent, the other conditions and common sense.

(b) Whether a court could also look at other documents will depend on the circumstances and in particular the wording of the documents being interpreted.

(c) Implication of conditions should generally be avoided, but there is not a complete bar on implying conditions, particularly to reflect the clear intention of a condition.

2.3 The subsequent High Court case of *UBB Waste Essex Ltd v Essex CC [2019] EWHV 1924* clarified these principles further and that:

(a) One should understand the condition as a reasonable reader with some knowledge of planning law and the matters in question.

(b) Regard should be had to the planning purpose the condition is seeking to address when applying the requirement to have regard to common sense.

(c) The planning purpose is typically to be found in the reasons for the condition.

2.4 It has also been held that the courts may resolve an apparent mistake in a planning condition by a process of construction. In *Newark and Sherwood DC v Secretary of State for Communities and Local Government [2013] EWHC 2162* the Court held that a reference by an Inspector in a condition to a three bladed wind turbine when the scheme was for a two bladed turbine could be corrected as a matter of construction, by substituting alternative words.

2.5 Finally, it is worth noting that the Courts will be reluctant to strike down a condition for want of certainty. The approach is to make sense of the condition, unless it is wholly unintelligible.

3 The Issue

3.1 Caddick has submitted, as part of its planning application on land to the north west of the Appeal Site, a revised parameters plan and two access plans that show the access to their site being from Locket Road and this access extending to the boundary of the Appeal Site. The question posed is whether the approval of this application by Caddick with these plans, will prejudice the ability for the Appeal site to advance its reserved matters and achieve compliance with condition 5 of the Appeal. It has of course to be held in mind that the terms of condition 5 do not require a through connection on land

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outside the Appeal Site, simply a means of providing a route to the boundary of the Appeal Site that could be used as a connection.

3.2 It is apparent that the issue is in part one of interpretation of the terms of condition 5 of the Appeal decision.

3.3 As indicated above the planning purpose of the condition is made plain in the Appeal decision itself (98); to safeguard the potential to join the Appeal Site to the existing access at Locket Road. None of the approved plans or other documents, approved as part of the Appeal (see condition 2) show where this is to be. The terms of condition 5 require the reserved matters on the Appeal Site to be accompanied by a connectivity and implementation plan which is to show a continuation of the estate road from the Appeal Site access, "*including a connection between the development site …. and the remaining Primary Employment Area Land allocation (accessed off Locket Road) to the north west terminating at the most northern point*."

3.4 The location of Locket Road to the northwest of the Appeal Site is clear and fixed. The remaining Primary Employment Allocation is clearly presented on the 2006 UDP policies map. It is to the northwest of the Appeal Site. The apparent closest point of the Appeal Site to Locket Road (particularly given the location of existing buildings, that we are instructed were present at the time of the Appeal) is adjacent to the location shown with an access road in the latest Caddick submission drawings.

3.5 On this basis the only part of condition 5 that causes any difficulty in interpretation is the words "terminating at the **most northern point**". These words however could not, in light of the approach in law described above, properly be interpreted as to require the opposite of the purpose of the condition. The most northern point of the Appeal Site is neither adjacent to the remaining Primary Employment Allocation (it is adjacent to the Green Belt and woodland), nor is it accessible to Locket Road in any practical sense given the location of existing buildings that would frustrate the purpose of the condition by blocking any connection. Further the terms of the condition, if suggested to be referring to the most northern part of the Primary Employment Allocation or the most northern part of Locket Road make no sense, when seen in context of where these locations are.

3.6 Applying the facts to the correct legal approach one is led to conclude that the reference to the most northern point can be no more than a simple error and that the substitution of the words "north western" for "northern" would be the clear and obvious outcome that would be consistent with what a reasonable reader would otherwise understand the condition to mean, when read in the context of the Appeal permission as a whole, the facts and applying common sense to address the purpose of the condition.

3.7 The Caddick scheme allows this to take place in a manner that is consistent with any reasonable interpretation of condition 5 on the Appeal permission. It is however to be noted that condition 5 on the Appeal permission is a matter for the development of the Appeal Site to address and is not a matter for the development of the Caddick site to address. Indeed, there is no apparent policy or other basis to require this of the Caddick scheme and even the Appeal decision (98) contemplated that a through connection may not be a deliverable outcome for the Appeal scheme.

3.8 Three other matters are worthy of consideration.

3.9 The first is the scenario of a reserved matters application for the Appeal Site being accompanied by a connectivity and implementation plan that didn't allow connectivity to Locket Road or the Primary Employment Allocation because it showed a road to the most northern point of the Appeal Site and thus a point that bordered the Green Belt. In that scenario would the Council be on solid grounds to

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reject such a submission. In our opinion yes, as it would have failed to achieve the purpose of the condition and indeed the rest of the terms of the condition itself.

3.10 The second is the ability of the Council to provide any rational basis for resisting an application (should one be made though it is not our opinion that one is necessary) to seek to "vary" the terms of condition 5 with a S73 application to swap the words "most northern point" for "most northwestern point". In that scenario it would be difficult to see any rational basis for the Council having a case to resist such an application.

3.11 The third is what we are instructed is an alternate suggestion from the Council that the terms of condition 5 on the Appeal Site could be satisfied by a connection point, on the southern boundary of the Caddick site, that was neither at the northwestern nor at the most northern part of the Appeal Site. This however appears not to fit with the terms or content of condition 5 at all.

3.12 These addition matters are simply presented as contextual to the principal opinion above but do underscore it.

4 Conclusion

4.1 Whilst the terms of condition 5 introduce a degree of confusion for those promoting development of the Appeal Site, in our opinion a proper interpretation and construction of the condition would lead to the view that there would be no impediment to the approval of reserved matters and the satisfaction of condition 5 of the Appeal planning permission if the location of the connection proposed on the Appeal Site aligned with that proposed by Caddick. It is however to be held in mind that condition 5 relates to the Appeal Site and not the Caddick proposals and even the Appeal decision (98) contemplated that a through connection may not be a deliverable outcome for the Appeal scheme.

[redacted]
2 January 2025

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[redacted]

Sent: 20 December 2024 15:00
To: Proctor, David
Subject: FW: Ashton Park - application ref: A/24/97381/OUTMAJ - Revised access drawings
Attachments: 2000 REV D LOCATION PLAN (red line plan).pdf; 2005 RevF PARAMETERS.pdf; 3578-F07 Rev A.pdf; 3578-F05 Rev B.pdf

Categories: Dealt with

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Good afternoon David,

I have just this afternoon formally submitted revised access drawings as requested. My email below to [redacted] sets this out.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

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From: [redacted]
Sent: 20 December 2024 14:58

[redacted]

Subject: Ashton Park - application ref: A/24/97381/OUTMAJ - Revised access drawings

[redacted]

Further to our recent discussions please find attached revised access drawings:

- Site Access – Proposed Site Access Plan. Eddisons Drawing Ref: 3578-F05/Rev **B**
- Site Access - Site Boundary with Proposed Site Access Arrangements. Eddisons Drawing Ref: 3578-F07/ Rev **A**

These are to supersede the access plans you have on file.

For completeness, and so that you have them to hand, I have attached the other two drawings that need to be listed in the condition as making up the set of approved plans:

- Red Line plan - Location Plan. KPP Architects Drawing Ref: 2387/2000/Rev D
- Parameters Plan. KPP Architects Drawing Ref: 2387/2005/Rev F

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

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Rev	Description	By	Chkd	Date
D	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	JB	JW	
C	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	JW		
A	RED LINE UPDATED FOLLOWING CLIENT COMMENTS	JW		

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

LOCATION PLAN

KPP ARCHITECTS

Lodge House
12 Town Street
Horsforth, Leeds LS184RJ

T [redacted]
E [redacted]
W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:2500	A3	JAN'24	JB	JW

Status

PLANNING

KPP Job No	Rev
2387	D

Number

2000

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Work and materials must comply with the current building regulations and codes of practice and be read in conjunction with building specifications and other sub-contractors information. All materials are to be installed in strict accordance with the recommmendations of the manufacturers.

NORTH

HEIGHT ZONE MAXIMUM 22m (FFL : 54.785 +/- 0.5m)

PRIMARY ACCESS

PROPCSED ROADWAY

LANDSCAPING AND SUDS

ADJACENT SITE GRANTED OUTLINE PLANNING

Rev	Description	By	Chkd	Date
F	SCALE BAR INCLUDED			
E	RED LINE INCLUDED	JB		18.03.24
D	GENERAL UPDATES	JB		07.03.24
C	RED LINE UPDATED	JB		04.03.24
B	RED LINE UPDATED	JW		27.02.24
A	UPDATE TO SUIT COMMENTS	JB	JW	30.01.24

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

PARAMETERS

KPP ARCHITECTS [redacted]

Scale	Size	Date	Drawn	Checked
1:500	A0	JAN'24	JB	JW

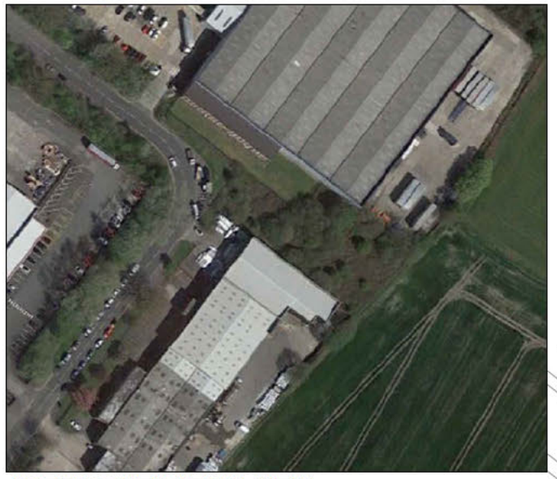
Status

PLANNING

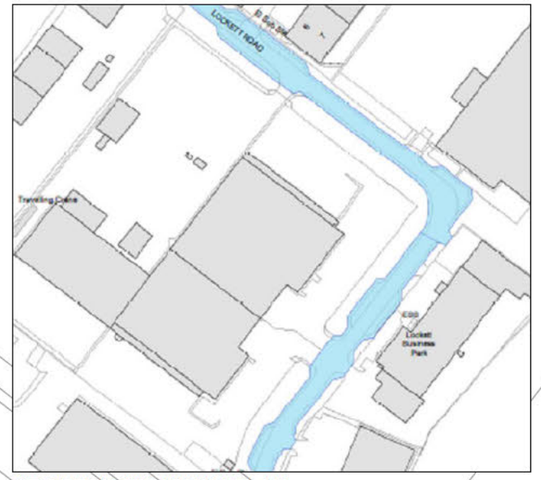
KPP Job No. **2387** Rev. **F**

Number **2005**

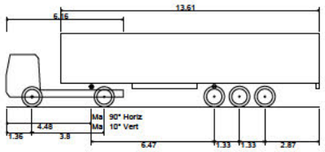
0m 25m 50m 75m 100m



NORTH SOUTH AERIAL VIEW

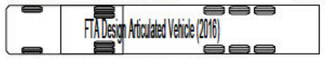


ADOPTED HIGHWAY PLAN

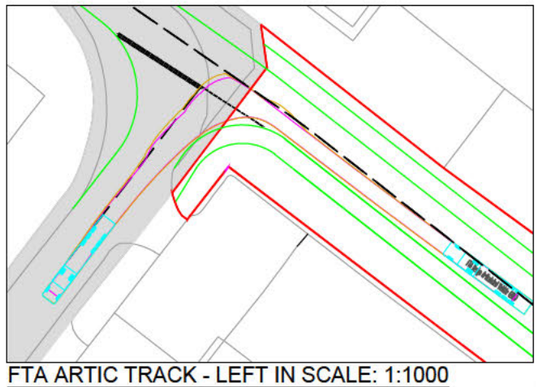


FTA Design Articulated Vehicle (2016)

Overall Length	16.480m
Overall Width	2.550m
Overall Body Height	3.870m
Min Body Ground Clearance	0.515m
Max Track Width	2.470m
Lock to lock time	3.00s
Kerb to Kerb Turning Radius	6.600m

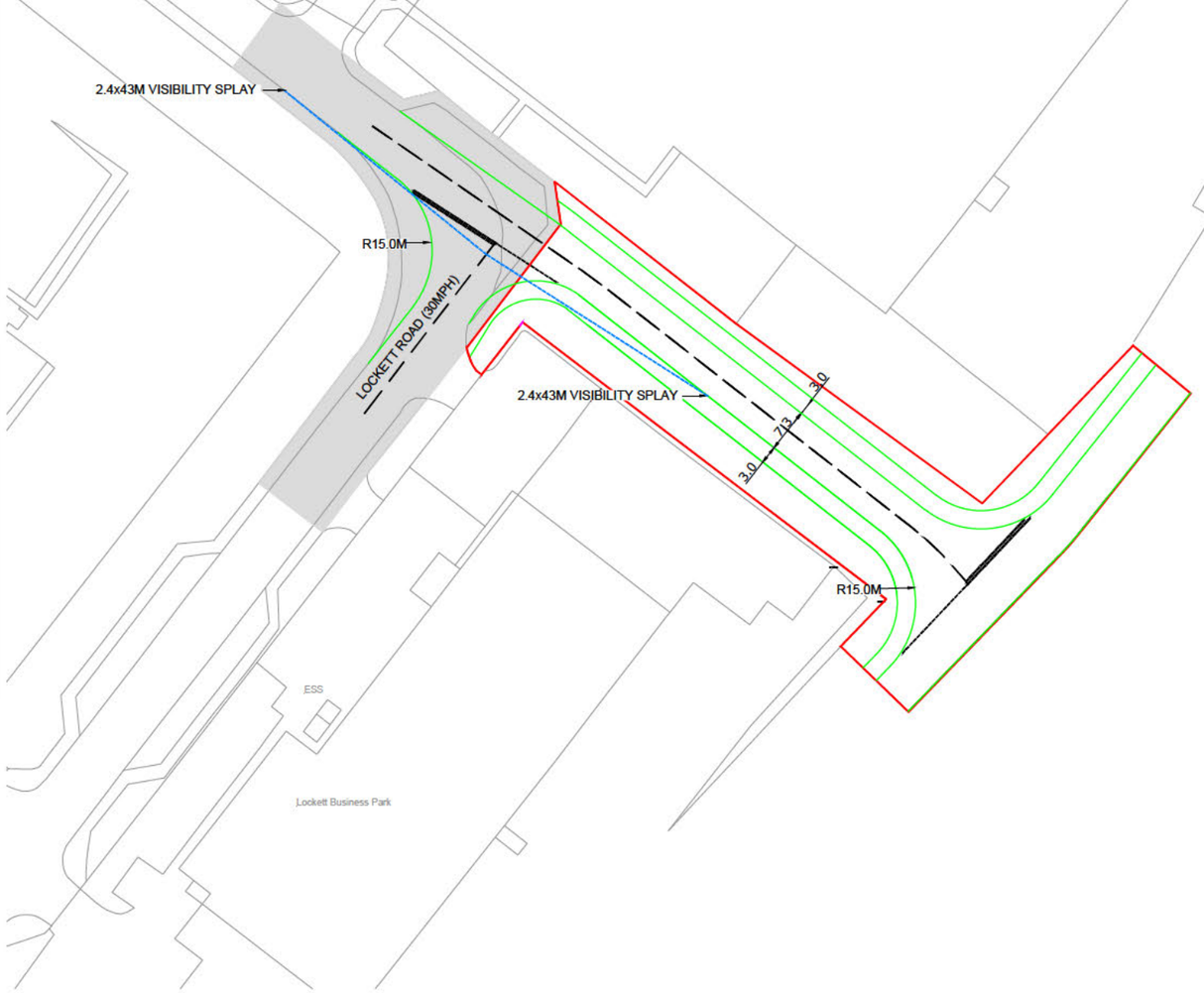


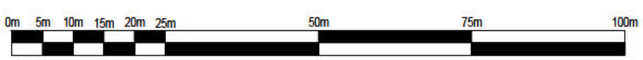
FTA VEHICLE PROFILE



FTA ARTIC TRACK - LEFT IN SCALE: 1:1000

FTA ARTIC TRACK - LEFT OUT SCALE: 1:1000





NOTES

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DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha

REV	DETAILS	DRAWN	CHECKED	DATE
B	AMENDED ACCESS ROAD	LB	PJW	DEC 2024
A	SCALE BAR ADDED	SL	TB	JUN 2024

CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

PROPOSED SITE ACCESS PLAN

SCALES:

1:1000 @ A3

DRAWN:	CHECKED:	DATE:
GM	TSB	FEB 24

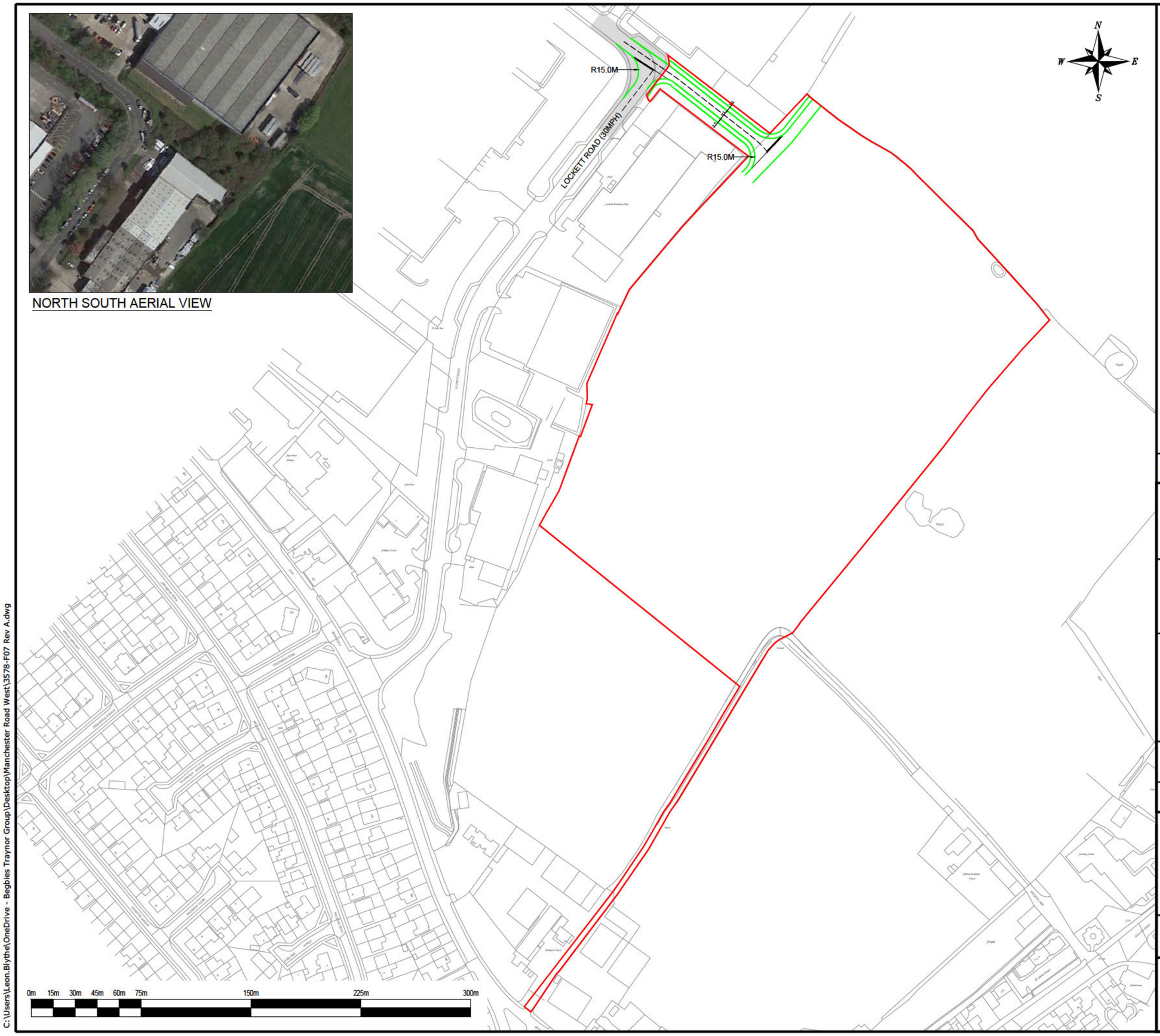
Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY
W [redacted]

DRAWING NUMBER:	REVISION:
3578-F05	B

Eddisons | Incorporating Croft

C:\Users\Leon.Blythe\OneDrive - Begbies Traynor Group\Desktop\GA Work\3578-F05 Rev B.dwg

NORTH SOUTH AERIAL VIEW



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DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha

REV	DETAILS	DRAWN	CHECKED	DATE
A	AMENDED ACCESS ROAD	LB	PJW	DEC 24

CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

SITE BOUNDARY PLAN WITH PROPOSED SITE ACCESS ARRANGEMENT

SCALES:

1:2500 @ A3

DRAWN:	CHECKED:	DATE:
SL	TSB	JUN 2024

Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY
[redacted]

DRAWING NUMBER: 3578-F07

REVISION: A

Eddisons | Incorporating Croft

C:\Users\Leon.Blythe\OneDrive - Begbies Traynor Group\Desktop\Manchester Road West\3578-F07 Rev A.dwg

From: Proctor, David
[redacted]
Subject: Fw: Major investment by Caddick in Wigan
Date: 18 December 2024 20:06:34
Attachments: image001.png
Caddick Wigan- written advice.msg

Sent from Outlook for iOS

From: [redacted]
Sent: Wednesday, December 18, 2024 6:28:37 PM
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan

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You are welcome David.
Attached is my request to Richard Sagar for his confirmation in writing.
Regards
[redacted]
Director
Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday
[redacted]

Please note my normal working days are Monday – Thursday.

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From: Proctor, David
Sent: 18 December 2024 17:14
To: [redacted]
Subject: RE: Major investment by Caddick in Wigan

Thank you for moving this on Bob; as discussed we will feed this position into the brief to Counsel.
Regards
David
David Proctor
Assistant Director, Planning and Regeneration

Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859
d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 18 December 2024 17:09
To: Proctor, David <D.Proctor@wigan.gov.uk>
Subject: RE: Major investment by Caddick in Wigan

[redacted]

Think Before you Click

Good afternoon David,
Further to my e-mail below I have discussed this with Caddick and can confirm the following:

1. Eddison's are being instructed this afternoon to amend the site access drawing to show the spur being built up to the northern boundary where it adjoins the Glenbrook site their most northern point.
2. This will then be submitted to you for approval as the full detail for this part of the site.
3. Caddick will agree to a Grampian condition that requires construction of that approved site access prior to occupation and use of any building on the site for the uses approved.
4. The remainder of the site, to be subject to details pursuant to a Reserved Matters application (for appearance, layout, scale and landscaping), will be required need to come forward in accordance with the approved means of access plan and what will be the approved Parameters Plan.
5. I will send you a copy of the advice from Counsel ([redacted]) that confirms that following such an approval of the Caddick scheme in this way, Glenbrook will still be able to apply for a Reserved Matters approval on their land for a layout that complies with condition 5 of their planning permission.

Regards

[redacted]

Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

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From: [redacted]
Sent: 18 December 2024 14:37
To: Proctor, David <D.Proctor@wigan.gov.uk>
Subject: RE: Major investment by Caddick in Wigan

Good afternoon David

Thank you very much for setting this out, which us a true reflection of our discussion.

I am meeting Caddick this afternoon at 4.30pm and will be able to report back very soon afterwards.

Just one small technical point, in relation to accepting a "condition positively obliging them to include this section of link in any reserved matters application for this parcel, and to construct it.", this won't be necessary (at least in respect of the RM part), if the means of access that we are applying for goes up to the boundary, as that will by then be fully approved. It would of course be reflected in any RM application, as the approved access road.

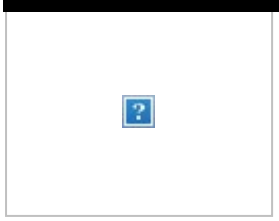
Regards

[redacted]

Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]



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From: Proctor, David <D.Proctor@wigan.gov.uk>
Sent: 18 December 2024 14:17

To: [redacted]
Subject: RE: Major investment by Caddick in Wigan

Bob,

Thanks for your time just now, and a constructive potential way forward based on the following position, which is set out without prejudice:

- There is no expectation or obligation for any road connection to be adopted highway, and any right to pass over it would be a commercial matter for Caddick.
- If the Council is content for the section of the link within Caddick's land to be provided on the route envisaged on Caddick's parameters plan, then Caddick would:
    a. include this section of link, up to their site boundary, as part of the means of access being applied for now in the outline application. I can confirm that this would not require a re-consultation; and
    b. Accept a condition positively obliging them to include this section of link in any reserved matters application for this parcel, and to construct it.
- The Council is seeking Counsel advice to provide itself with certainty on the following points:
    a. That Caddick's proposed alignment of the link is compatible with Condition 5 of Glenbrook's planning permission which describes the position that the connection should be in;
    b. That given that Caddick's application is the only detailed application that has been received, there is no issue for the Council in dealing with this on a "first come first served" basis and granting Caddick a detailed permission that any subsequent scheme on other areas of the site would have to align with.
- You would arrange with Caddick for a copy of Richard Sagar's advice to be provided to us.
- The application has not met any of the triggers for Planning Committee.

I trust this accurately reflects where we got to but do let me know if there are any issues. I don't have an update on Freddie's timescales for advising, but we are moving this on as quickly as is possible. We'll continue to share updates as we have them, and look forward to receiving the same from Caddick's team.

Regards

David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

[redacted]

Think Before you Click

Dear David
Could you please call me in respect of a multi-million pound investment that Caddick wish to make in your borough?
My telephone number is below. Should I not be available please try calling [redacted] of Caddick directly on [redacted].
David has to report to shareholders at the beginning of January, who will then be making decisions on how to invest. You will know that in light of the new NPPF there are now much wider opportunities for them in other areas.
We look forward to hearing from you.
Regards
[redacted]
Director
Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday
[redacted]

Please note my normal working days are Monday – Thursday.

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This footnote also confirms that this email has been swept for the presence of computer viruses.

[redacted] [redacted]

Subject: Caddick Wigan- written advice

Attachments: image001.png
image002.png
RE Major investment by Caddick in Wigan .msg
Glenbrook Approved Parameters Plan.pdf
Eddison to amend access plan.docx

Dear [redacted]

You kindly advised in conference on 21st November with regard to a number of matters relating a planning application we have submitted on behalf of Caddick to Wigan. Discussions with the LPA have continued and we now need a short confirmatory note to share with the LPA that gives them certainty that the future development of a link road, by Glenbrook on Glenbrook land, would not be prejudiced by the Caddick scheme.

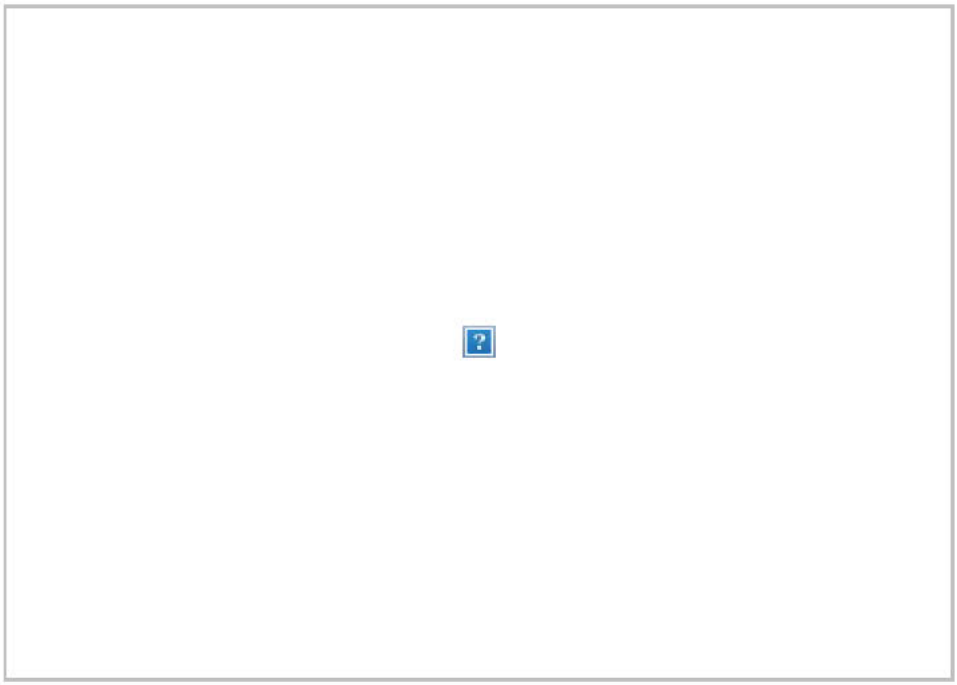
You have previously been provided with a range of documents:

- Location Plan
- Parameters Plan
- Indicative Masterplan
- UDP and Core Strategy Policy extracts
- Glenbrook committee report
- Glenbrook appeal decision letter
- Highways comments on Ashton Park application

I have now attached three more documents:

1. Correspondence (email attached) between myself and David Proctor, the Assistant Director of Planning and Regeneration, confirming the position we have reached.
2. A hand annotated mark up of how the Caddick access plan is currently being revised by Eddison's in accordance with that email correspondence
3. A copy of the Glenbrook approved Parameter's plan that sits alongside the Glenbrook appeal decision letter

The view that we as a team have consistently reached is that for Glenbrook to be able to satisfy Condition 5 of their permission they have to, notwithstanding their illustrative masterplan or other indicative plans that do not from part of their permission, come forward with a link road (a '*connectivity and implementation plan'*) that would join the Caddick Boundary at the point shown by an orange spot on their approved Parameters Plan below. This is on the basis of a straightforward reading of the condition, whereby this point is a point of connection between their site and '*the remaining Primary Employment Area Land allocation* (i.e. Caddick's site) '*to the north west* terminating *at the most northern point.*' Therefore, a link road going from their approved access in a NW direction towards the Caddick land and Lockett Road, has to terminate at this point marked, being the most northern point of the allocation. For the avoidance of doubt the northernmost tip of the Glenbrook site doesn't link into the allocated land, but adjoins the green belt.



The written confirmation we require is simply an answer to the following question:

> *"If Wigan approve the Caddick application on the basis of the revised access plan and the submitted Parameters Plan, with both being approved plans, will Glenbrook (or any other party in control of the neighbouring site) be able to bring forward a Reserved Matters application that makes provision for a link road on that site which meets the locational requirements for that link road as set out in Condition 5 of the planning permission granted on appeal?"*

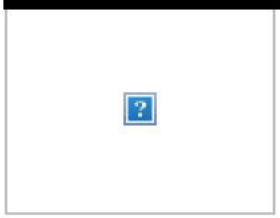
Regards

[redacted]

Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]



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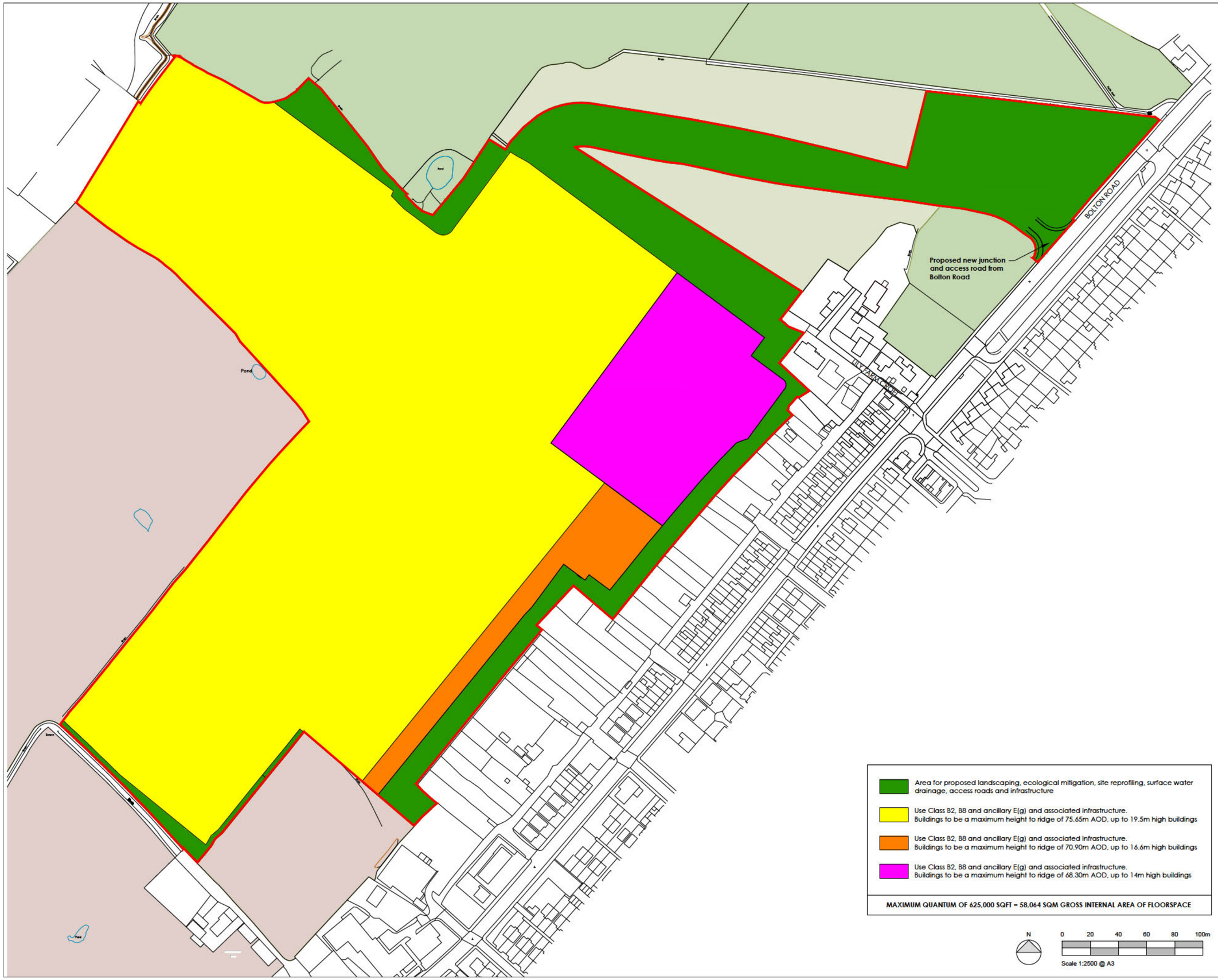


NOTES

AEWTP029C

- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
- This drawing shall not be reproduced without express written permission from AEW.
- Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. AEW cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.
- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties: **Yes**

Principal Designer: **Client**

Unless noted below, all known hazards have been highlighted on the drawing:

Area for proposed landscaping, ecological mitigation, site reprofiling, surface water drainage, access roads and infrastructure

Use Class B2, B8 and ancillary E(g) and associated infrastructure.
Buildings to be a maximum height to ridge of 75.65m AOD, up to 19.5m high buildings

Use Class B2, B8 and ancillary E(g) and associated infrastructure.
Buildings to be a maximum height to ridge of 70.90m AOD, up to 16.6m high buildings

Use Class B2, B8 and ancillary E(g) and associated infrastructure.
Buildings to be a maximum height to ridge of 68.30m AOD, up to 14m high buildings

MAXIMUM QUANTUM OF 625,000 SQFT = 58,064 SQM GROSS INTERNAL AREA OF FLOORSPACE

N

0 20 40 60 80 100m

Scale 1:2500 @ A3

REV	Date	Drawn by: -	Checked by: -
P5	28/06/2021	MB	DOH
Height parameter to yellow shaded area amended.			
P4	31/03/2021	MB	DOH
Area for proposed landscaping updated			
P3	26/02/2021	DOH	AS
Land use and parameters added to a key			
P2	03/12/2020	DOH	AS
Landscape connectivity shown to eastern boundary. Lower height parameter zones shown in magenta and orange			
P1	24/11/2020	DOH	AS
Initial issue			

Status: S2 — Purpose of Issue: For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Land Use and Building Height Parameters Plan**

date: 24/11/2020 drawn: DOH

scale@A3: 1:2500 checked: AS

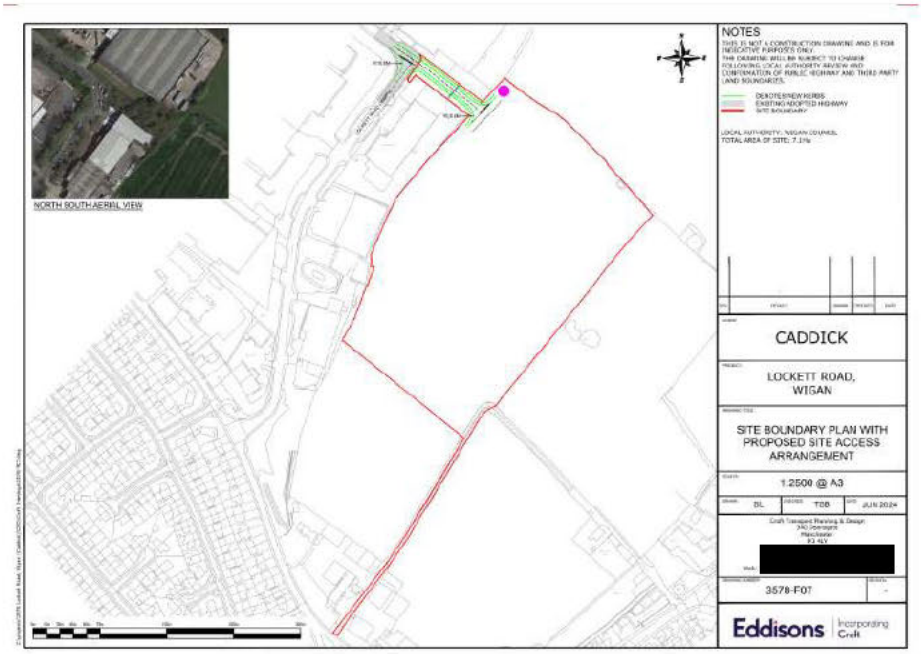
Rev: **P5**

Job No: **B9812-AEW-SI-XX-DR-A-0505**

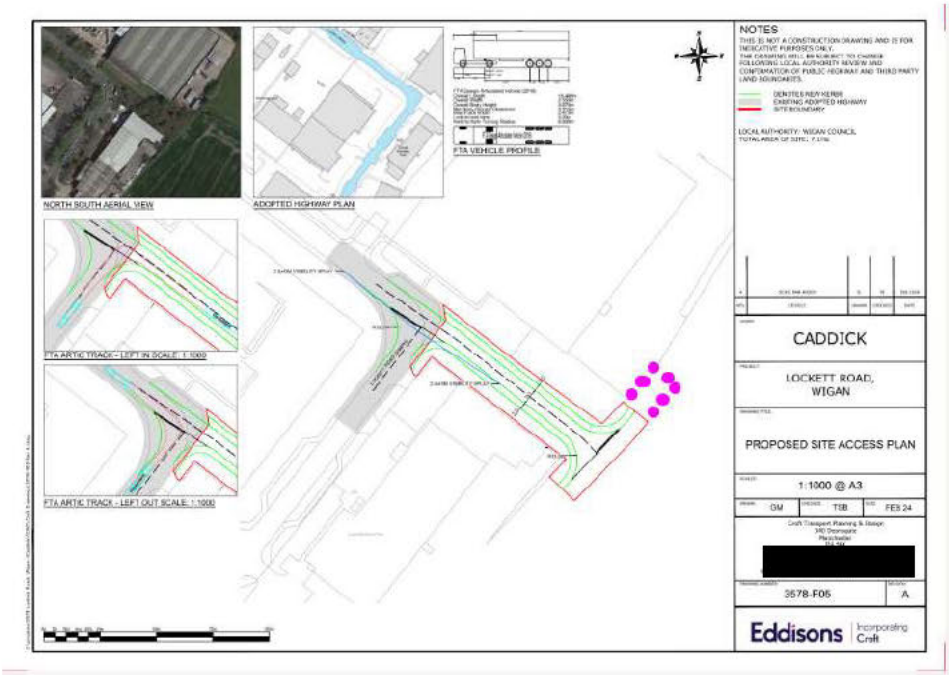
0 5 m

aew

Eddison's to amend this plan to show access spur continuing to boundary (denoted by pink spot)



And this plan to show the detail of the spur similarly extended:



From: [redacted]
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan
Attachments: image001.png

Good afternoon David,
Further to my e-mail below I have discussed this with Caddick and can confirm the following:

1. Eddison's are being instructed this afternoon to amend the site access drawing to show the spur being built up to the northern boundary where it adjoins the Glenbrook site their most northern point.
2. This will then be submitted to you for approval as the full detail for this part of the site.
3. Caddick will agree to a Grampian condition that requires construction of that approved site access prior to occupation and use of any building on the site for the uses approved.
4. The remainder of the site, to be subject to details pursuant to a Reserved Matters application (for appearance, layout, scale and landscaping), will be required need to come forward in accordance with the approved means of access plan and what will be the approved Parameters Plan.
5. I will send you a copy of the advice from Counsel ([redacted]) that confirms that following such an approval of the Caddick scheme in this way, Glenbrook will still be able to apply for a Reserved Matters approval on their land for a layout that complies with condition 5 of their planning permission.

Regards

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Please note my normal working days are Monday – Thursday.

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From: [redacted]
Sent: 18 December 2024 14:37
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan

Good afternoon David
Thank you very much for setting this out, which us a true reflection of our discussion.
I am meeting Caddick this afternoon at 4.30pm and will be able to report back very soon afterwards.
Just one small technical point, in relation to accepting a "condition positively obliging them to include this section of link in any reserved matters application for this parcel, and to construct it.", this won't be necessary (at least in respect of the RM part), if the means of access that we are applying for goes up to the boundary, as that will by then be fully approved. It would of course be reflected in any RM application, as the approved access road.
Regards

[redacted]
Director
Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]
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From: Proctor, David <D.Proctor@wigan.gov.uk>
Sent: 18 December 2024 14:17
To: [redacted]
Subject: RE: Major investment by Caddick in Wigan
Bob,
Thanks for your time just now, and a constructive potential way forward based on the following position, which is set out without prejudice:

- There is no expectation or obligation for any road connection to be adopted highway, and any right to pass over it would be a commercial matter for Caddick.
- If the Council is content for the section of the link within Caddick's land to be provided on the route envisaged on Caddick's parameters plan, then Caddick would:
    a. include this section of link, up to their site boundary, as part of the means of access being applied for now in the outline application. I can confirm that this would not require a re-consultation; and

b. Accept a condition positively obliging them to include this section of link in any reserved matters application for this parcel, and to construct it.

- The Council is seeking Counsel advice to provide itself with certainty on the following points:
    a. That Caddick's proposed alignment of the link is compatible with Condition 5 of Glenbrook's planning permission which describes the position that the connection should be in;
    b. That given that Caddick's application is the only detailed application that has been received, there is no issue for the Council in dealing with this on a "first come first served" basis and granting Caddick a detailed permission that any subsequent scheme on other areas of the site would have to align with.
- You would arrange with Caddick for a copy of Richard Sagar's advice to be provided to us.
- The application has not met any of the triggers for Planning Committee.

I trust this accurately reflects where we got to but do let me know if there are any issues. I don't have an update on Freddie's timescales for advising, but we are moving this on as quickly as is possible. We'll continue to share updates as we have them, and look forward to receiving the same from Caddick's team.

Regards

David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859
d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

[redacted]

Think Before you Click

Dear David

Could you please call me in respect of a multi-million pound investment that Caddick wish to make in your borough?
My telephone number is below. Should I not be available please try calling David Baker-Brook of Caddick directly on [redacted]
David has to report to shareholders at the beginning of January, who will then be making decisions on how to invest. You will know that in light of the new NPPF there are now much wider opportunities for them in other areas.
We look forward to hearing from you.
Regards

[redacted]

Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Please note my normal working days are Monday – Thursday.

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[redacted]

From: Proctor, David
Sent: 18 December 2024 14:17
To: [redacted]
Subject: FW: Major investment by Caddick in Wigan

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
[redacted]

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: Proctor, David
Sent: 18 December 2024 14:17
To: [redacted]
Subject: RE: Major investment by Caddick in Wigan

[redacted]

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    a) include this section of link, up to their site boundary, as part of the means of access being applied for now in the outline application. I can confirm that this would not require a re-consultation; and
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    a) That Caddick's proposed alignment of the link is compatible with Condition 5 of Glenbrook's planning permission which describes the position that the connection should be in;
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served" basis and granting Caddick a detailed permission that any subsequent scheme on other areas of the site would have to align with.

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I trust this accurately reflects where we got to but do let me know if there are any issues. I don't have an update on Freddie's timescales for advising, but we are moving this on as quickly as is possible. We'll continue to share updates as we have them, and look forward to receiving the same from Caddick's team.

Regards
David

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07769 755859

d.proctor@wigan.gov.uk
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www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Dear David

Could you please call me in respect of a multi-million pound investment that Caddick wish to make in your borough?

My telephone number is below. Should I not be available please try calling [redacted]f Caddick directly on [redacted]

David has to report to shareholders at the beginning of January, who will then be making decisions on how to invest. You will know that in light of the new NPPF there are now much wider opportunities for them in other areas.

We look forward to hearing from you.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

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[redacted]

From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

Categories: Dealt with, Read/Respond/Action

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Dear David

Could you please call me in respect of a multi-million pound investment that Caddick wish to make in your borough?

My telephone number is below. Should I not be available please try calling [redacted] of Caddick directly on [redacted].

[redacted] has to report to shareholders at the beginning of January, who will then be making decisions on how to invest. You will know that in light of the new NPPF there are now much wider opportunities for them in other areas.

We look forward to hearing from you.

Regards

[redacted]

[redacted]
Director

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[redacted]

Ryan and May

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[redacted]

From: [redacted]
Sent: 12 March 2025 10:00
To: [redacted] Proctor, David
Subject: Privileged - JR review pre-action protocol letter from Glenbrook

Categories: Dealt with, Read/Respond/Action

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

David,

I have left a voicemail. It is to ask for contact details of the Council's legal advisors in this matter.

Could you please confirm who that is (Council legal representative and Counsel) and let [redacted] of Walker Morris (copied in) have their telephone number and email address?

Many thanks

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

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[redacted]

From: [redacted]
Sent: 06 January 2025 11:51
To: Proctor, David
Cc: [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ - Counsel's Opinion

Categories: Dealt with

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Thank you David

Just to let you know that after Wednesday I will be on leave until the end of January. My fellow Director [redacted], who has been liaising closely with [redacted], will keep things moving.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

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From: Proctor, David
Sent: 06 January 2025 11:29
To: [redacted]

Cc: [redacted])
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ - Counsel's Opinion

[redacted], thank you for this, we will consider and revert at the earliest.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 02 January 2025 15:18
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ - Counsel's Opinion

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Good afternoon David,

Before Christmas I said I would send you Counsel's opinion on the ability of your authority to grant permission for the Caddick scheme without prejudicing Glenbrook's ability to comply with Condition 5 of their permission.

This is now attached.

You'll l note that this concludes "*there would be no impediment to the approval of reserved matters and the satisfaction of condition 5 of the Appeal planning permission if the location of the connection proposed on the Appeal Site aligned with that proposed by Caddick.*"

I hope we can now move swiftly to a delegated approval.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

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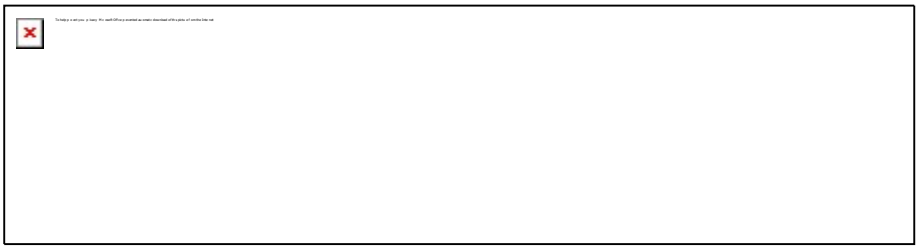

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[redacted]

From: Proctor, David
Sent: 06 January 2025 11:29
To: [redacted]; [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ - Counsel's Opinion

[redacted] thank you for this, we will consider and revert at the earliest.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

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www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 02 January 2025 15:18
To: Proctor, David
Cc: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ - Counsel's Opinion

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I hope we can now move swiftly to a delegated approval.

Regards

[redacted]

[redacted]
Director

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[redacted]

Ryan and May

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[redacted]

From: Proctor, David
Sent: 20 December 2024 15:04
To: [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ - Revised access drawings

[redacted]

Thank you for letting me know.

Best wishes for Christmas and the New Year.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 20 December 2024 15:00
To: Proctor, David
Subject: FW: Ashton Park - application ref: A/24/97381/OUTMAJ - Revised access drawings

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Good afternoon David,

I have just this afternoon formally submitted revised access drawings as requested. My email below to [redacted] sets this out.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

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From: Bob May
Sent: 20 December 2024 14:58
To: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ - Revised access drawings

[redacted]

Further to our recent discussions please find attached revised access drawings:

- Site Access – Proposed Site Access Plan. Eddisons Drawing Ref: 3578-F05/Rev **B**
- Site Access - Site Boundary with Proposed Site Access Arrangements. Eddisons Drawing Ref: 3578-F07/ Rev **A**

These are to supersede the access plans you have on file.

For completeness, and so that you have them to hand, I have attached the other two drawings that need to be listed in the condition as making up the set of approved plans:

- Red Line plan - Location Plan. KPP Architects Drawing Ref: 2387/2000/Rev D
- Parameters Plan. KPP Architects Drawing Ref: 2387/2005/Rev F

Regards

[redacted]

[redacted]
Director

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[redacted]

Ryan and May

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[redacted]

From: [redacted]
Sent: 18 December 2024 14:37
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan

Categories: Dealt with, Read/Respond/Action

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Good afternoon David

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Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]k

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From: Proctor, David
Sent: 18 December 2024 14:17
To: [redacted]
Subject: RE: Major investment by Caddick in Wigan

[redacted]

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From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

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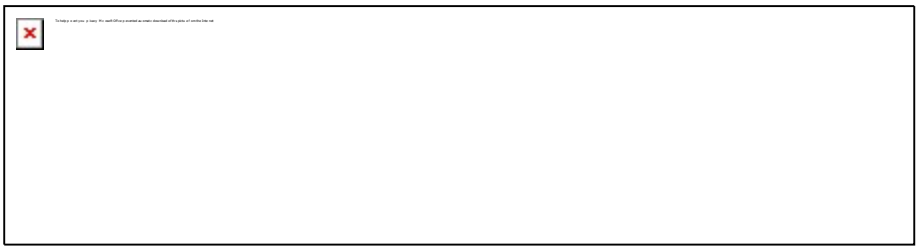

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Categories: Dealt with

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From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

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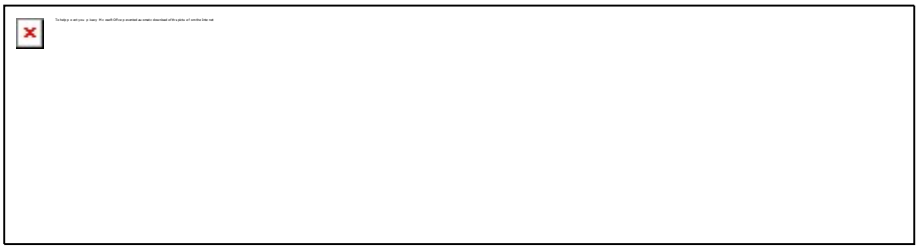

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From: [redacted]
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To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

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[redacted]

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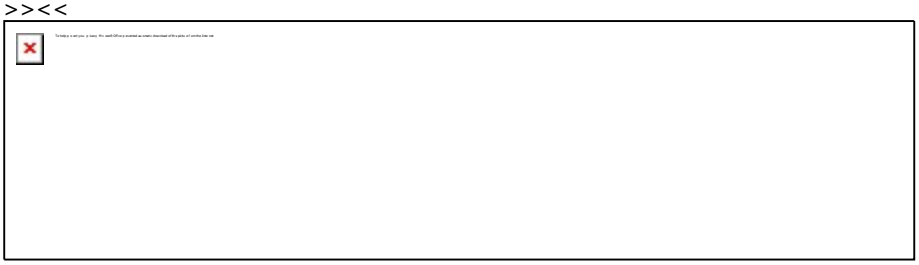

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[redacted]

From: [redacted]
Sent: 18 December 2024 18:29
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan
Attachments: Caddick Wigan- written advice

Categories: Dealt with

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You are welcome David.

Attached is my request to [redacted] for his confirmation in writing.

Regards

[redacted]

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Director

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Cc: [redacted]
Subject: Caddick Wigan- written advice
Attachments: RE: Major investment by Caddick in Wigan ; Glenbrook Approved Parameters_Plan.pdf; Eddison to amend access plan.docx

Dear [redacted]

You kindly advised in conference on 21st November with regard to a number of matters relating a planning application we have submitted on behalf of Caddick to Wigan.

Discussions with the LPA have continued and we now need a short confirmatory note to share with the LPA that gives them certainty that the future development of a link road, by Glenbrook on Glenbrook land, would not be prejudiced by the Caddick scheme.

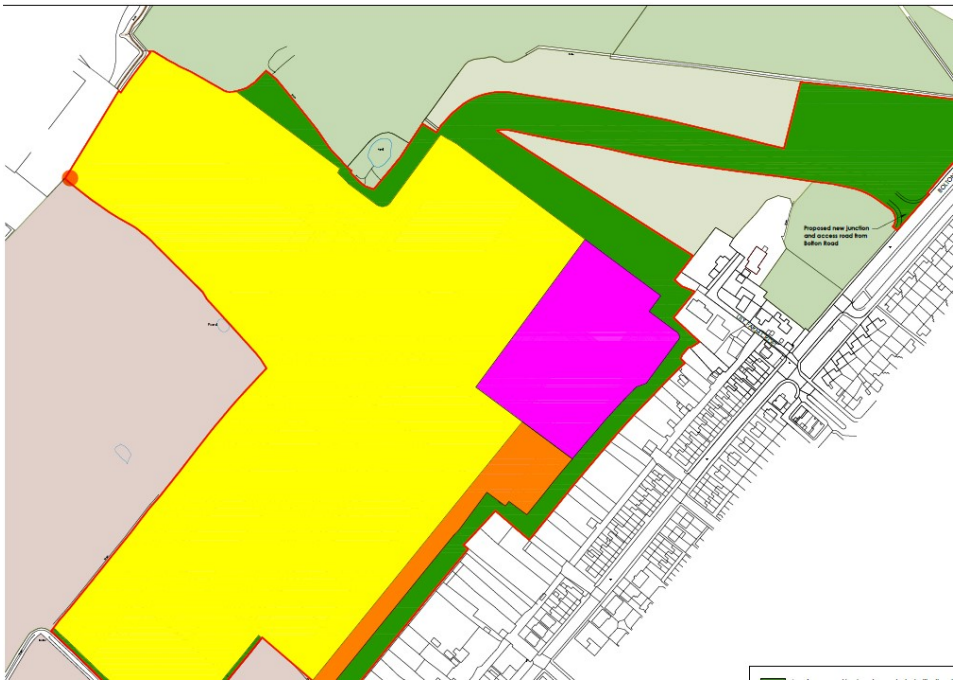
You have previously been provided with a range of documents:

- Location Plan
- Parameters Plan
- Indicative Masterplan
- UDP and Core Strategy Policy extracts
- Glenbrook committee report
- Glenbrook appeal decision letter
- Highways comments on Ashton Park application

I have now attached three more documents:

1. Correspondence (email attached) between myself and David Proctor, the Assistant Director of Planning and Regeneration, confirming the position we have reached.
2. A hand annotated mark up of how the Caddick access plan is currently being revised by Eddison's in accordance with that email correspondence
3. A copy of the Glenbrook approved Parameter's plan that sits alongside the Glenbrook appeal decision letter

The view that we as a team have consistently reached is that for Glenbrook to be able to satisfy Condition 5 of their permission they have to, notwithstanding their illustrative masterplan or other indicative plans that do not from part of their permission, come forward with a link road (a '*connectivity and implementation plan'*) that would join the Caddick Boundary at the point shown by an orange spot on their approved Parameters Plan below. This is on the basis of a straightforward reading of the condition, whereby this point is a point of connection between their site and '*the remaining Primary Employment Area Land allocation* (i.e. Caddick's site) '*to the north west* terminating *at the most northern point.*' Therefore, a link road going from their approved access in a NW direction towards the Caddick land and Lockett Road, has to terminate at this point marked, being the most northern point of the allocation. For the avoidance of doubt the northernmost tip of the Glenbrook site doesn't link into the allocated land, but adjoins the green belt.



The written confirmation we require is simply an answer to the following question:

> "*If Wigan approve the Caddick application on the basis of the revised access plan and the submitted Parameters Plan, with both being approved plans, will Glenbrook (or any other party in control of the neighbouring site) be able to bring forward a Reserved Matters application that makes provision for a link road on that site which meets the locational requirements for that link road as set out in Condition 5 of the planning permission granted on appeal?*"

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

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[redacted]

From: [redacted]
Sent: 18 December 2024 17:09
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan

Good afternoon David,

Further to my e-mail below I have discussed this with Caddick and can confirm the following:

1. Eddison's are being instructed this afternoon to amend the site access drawing to show the spur being built up to the northern boundary where it adjoins the Glenbrook site their most northern point.

2. This will then be submitted to you for approval as the full detail for this part of the site.

3. Caddick will agree to a Grampian condition that requires construction of that approved site access prior to occupation and use of any building on the site for the uses approved.

4. The remainder of the site, to be subject to details pursuant to a Reserved Matters application (for appearance, layout, scale and landscaping), will be required need to come forward in accordance with the approved means of access plan and what will be the approved Parameters Plan.

5. I will send you a copy of the advice from Counsel ([redacted] Walker Morris) that confirms that following such an approval of the Caddick scheme in this way, Glenbrook will still be able to apply for a Reserved Matters approval on their land for a layout that complies with condition 5 of their planning permission.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

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From: [redacted]
Sent: 18 December 2024 14:37
To: Proctor, David
Subject: RE: Major investment by Caddick in Wigan

Good afternoon David

Thank you very much for setting this out, which us a true reflection of our discussion.

I am meeting Caddick this afternoon at 4.30pm and will be able to report back very soon afterwards.

Just one small technical point, in relation to accepting a "condition positively obliging them to include this section of link in any reserved matters application for this parcel, and to construct it.", this won't be necessary (at least in respect of the RM part), if the means of access that we are applying for goes up to the boundary, as that will by then be fully approved. It would of course be reflected in any RM application, as the approved access road.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

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From: Proctor, David <D.Proctor@wigan.gov.uk>
Sent: 18 December 2024 14:17
To: [redacted]
Subject: RE: Major investment by Caddick in Wigan

[redacted]

Thanks for your time just now, and a constructive potential way forward based on the following position, which is set out without prejudice:

- There is no expectation or obligation for any road connection to be adopted highway, and any right to pass over it would be a commercial matter for Caddick.

- If the Council is content for the section of the link within Caddick's land to be provided on the route envisaged on Caddick's parameters plan, then Caddick would:

    a) include this section of link, up to their site boundary, as part of the means of access being applied for now in the outline application. I can confirm that this would not require a re-consultation; and
    b) Accept a condition positively obliging them to include this section of link in any reserved matters application for this parcel, and to construct it.

- The Council is seeking Counsel advice to provide itself with certainty on the following points:

    a) That Caddick's proposed alignment of the link is compatible with Condition 5 of Glenbrook's planning permission which describes the position that the connection should be in;
    b) That given that Caddick's application is the only detailed application that has been received, there is no issue for the Council in dealing with this on a "first come first served" basis and granting Caddick a detailed permission that any subsequent scheme on other areas of the site would have to align with.

- You would arrange with Caddick for a copy of [redacted] advice to be provided to us.

- The application has not met any of the triggers for Planning Committee.

I trust this accurately reflects where we got to but do let me know if there are any issues. I don't have an update on Freddie's timescales for advising, but we are moving this on as quickly as is possible. We'll continue to share updates as we have them, and look forward to receiving the same from Caddick's team.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David <D.Proctor@wigan.gov.uk>
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Dear David

Could you please call me in respect of a multi-million pound investment that Caddick wish to make in your borough?

My telephone number is below. Should I not be available please try calling [redacted] of Caddick directly on [redacted].

David has to report to shareholders at the beginning of January, who will then be making decisions on how to invest. You will know that in light of the new NPPF there are now much wider opportunities for them in other areas.

We look forward to hearing from you.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

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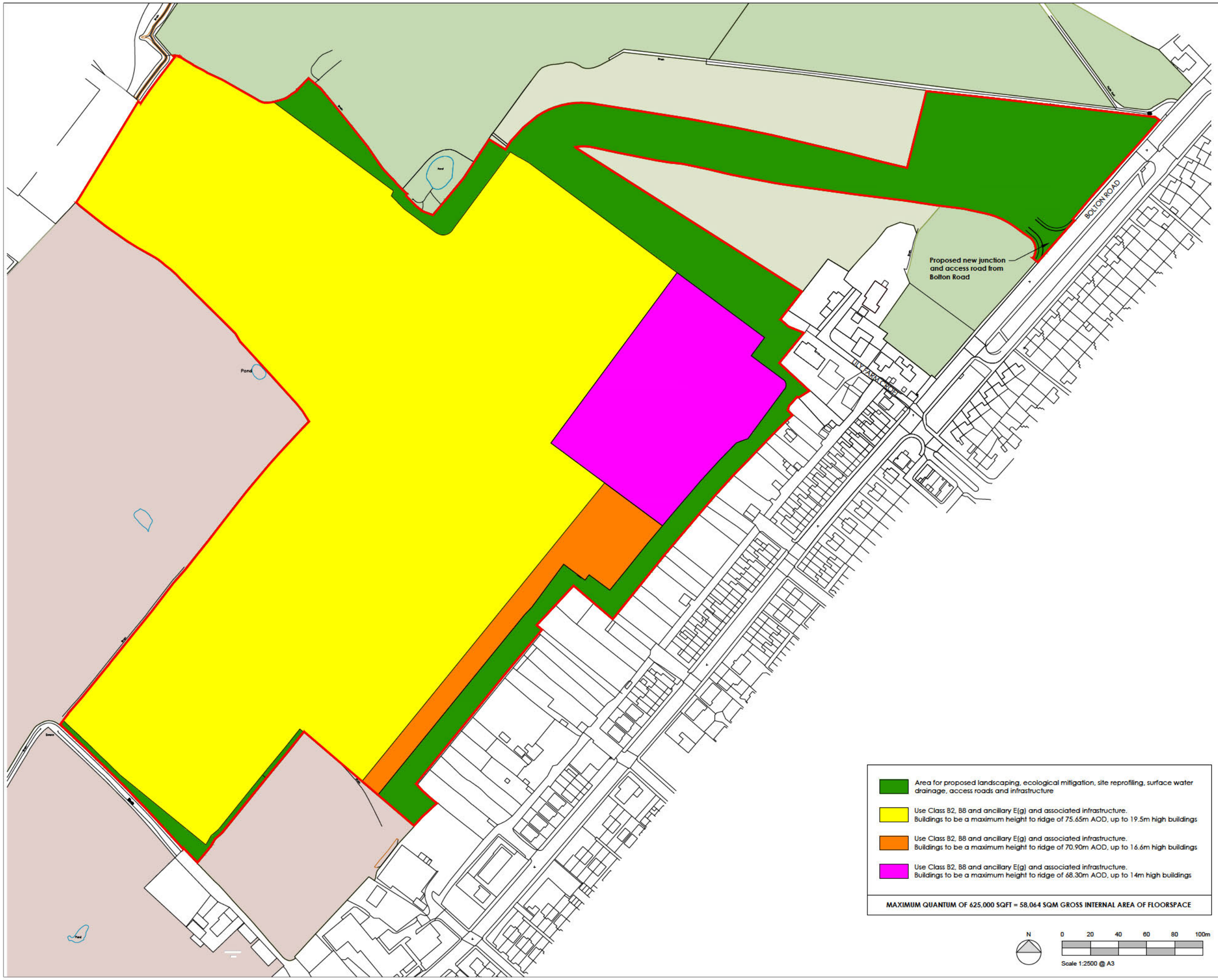


NOTES

AEWTP029C

- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
- This drawing shall not be reproduced without express written permission from AEW.
- Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. AEW cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.
- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties: **Yes**

Principal Designer: **Client**

Unless noted below, all known hazards have been highlighted on the drawing:

REV	Date	Drawn by: -	Checked by: -
P5	28/06/2021	MB	DOH
Height parameter to yellow shaded area amended.			
P4	31/03/2021	MB	DOH
Area for proposed landscaping updated			
P3	26/02/2021	DOH	AS
Land use and parameters added to a key			
P2	03/12/2020	DOH	AS
Landscape connectivity shown to eastern boundary. Lower height parameter zones shown in magenta and orange			
P1	24/11/2020	DOH	AS
Initial issue			

Status: S2 — Purpose of Issue: For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Land Use and Building Height Parameters Plan**

date: 24/11/2020 drawn: DOH

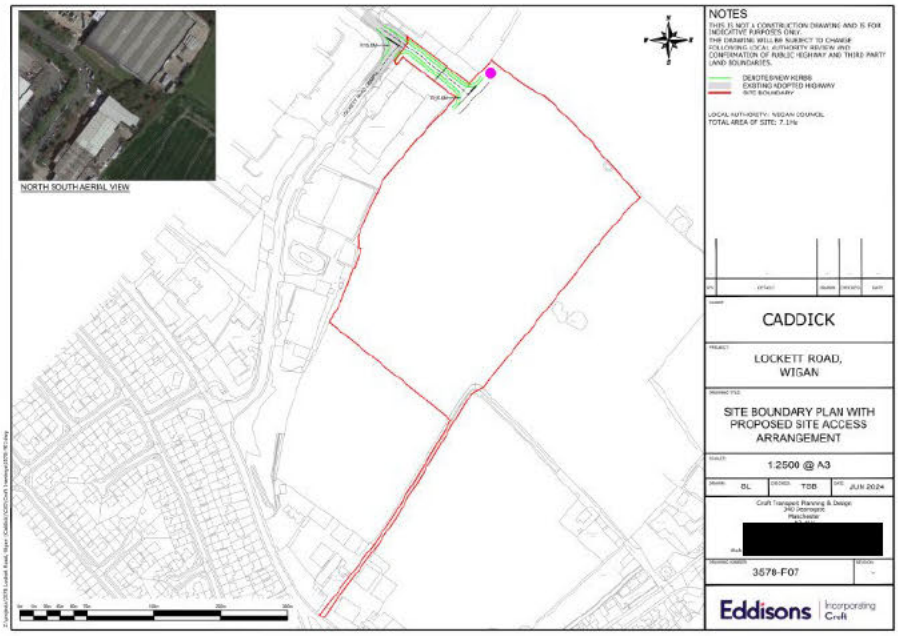
scale@A3: 1:2500 checked: AS

Rev: **P5**

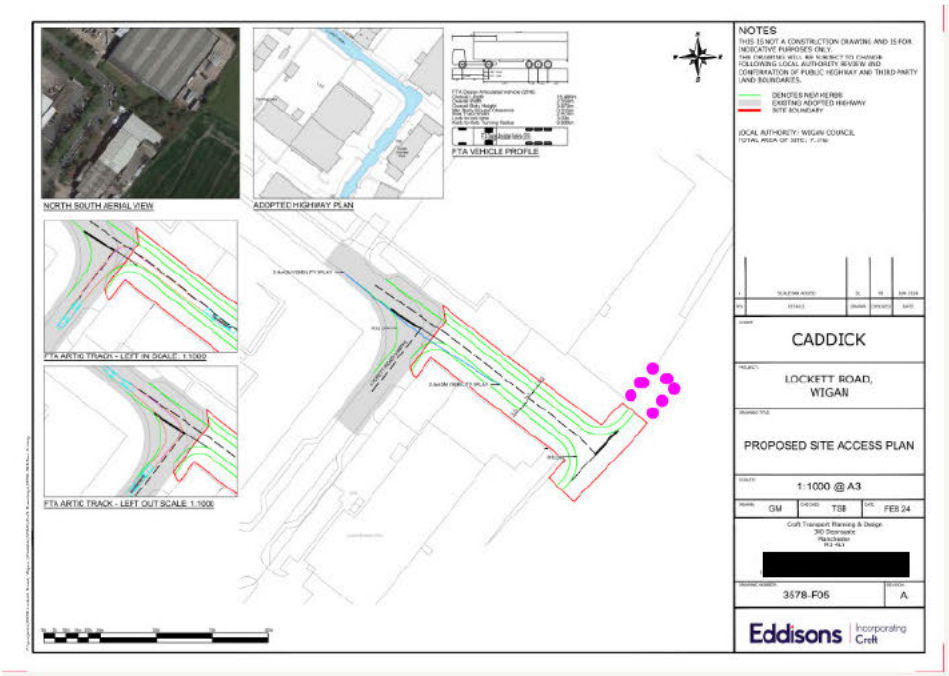
Job No: **B9812-AEW-SI-XX-DR-A-0505**

aew

Eddison's to amend this plan to show access spur continuing to boundary (denoted by pink spot)



And this plan to show the detail of the spur similarly extended:



[redacted]

From: Proctor, David
Sent: 18 December 2024 14:17
To: [redacted]
Subject: RE: Major investment by Caddick in Wigan

[redacted]

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- You would arrange with Caddick for a copy of [redacted] advice to be provided to us.

- The application has not met any of the triggers for Planning Committee.

I trust this accurately reflects where we got to but do let me know if there are any issues. I don't have an update on [redacted] timescales for advising, but we are moving this on as quickly as is possible. We'll continue to share updates as we have them, and look forward to receiving the same from Caddick's team.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate

Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 18 December 2024 09:56
To: Proctor, David
Cc: [redacted]
Subject: Major investment by Caddick in Wigan

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Dear David

Could you please call me in respect of a multi-million pound investment that Caddick wish to make in your borough?

My telephone number is below. Should I not be available please try calling [redacted] of Caddick directly on [redacted]

David has to report to shareholders at the beginning of January, who will then be making decisions on how to invest. You will know that in light of the new NPPF there are now much wider opportunities for them in other areas.

We look forward to hearing from you.

Regards

[redacted]

[redacted]
Director

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

Ryan and May

Please note my normal working days are Monday – Thursday.

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[redacted]

From: [redacted] >
Sent: 12 March 2025 16:50
To: Proctor, David; [redacted]
Cc: [redacted]
Subject: RE: Privileged - JR review pre-action protocol letter from Glenbrook

Categories: For info

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Thanks David- [redacted] and I have now communicated

[redacted]

Walker Morris LLP,33 Wellington Street, Leeds, LS1 4DL
[redacted]

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From: Proctor, David
Sent: 12 March 2025 15:49
To: [redacted]
Subject: RE: Privileged - JR review pre-action protocol letter from Glenbrook

[redacted]

The contact is [redacted], copied in.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 12 March 2025 10:00
To: [redacted] Proctor, David <D.Proctor@wigan.gov.uk>
Subject: Privileged - JR review pre-action protocol letter from Glenbrook

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David,

I have left a voicemail. It is to ask for contact details of the Council's legal advisors in this matter.

Could you please confirm who that is (Council legal representative and Counsel) and let [redacted] of Walker Morris (copied in) have their telephone number and email address?

Many thanks

[redacted]

[redacted]
Director

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[redacted]

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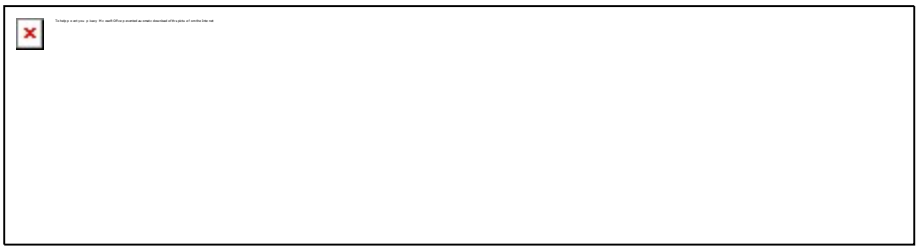

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Priestman, Michelle

From: Proctor, David
Sent: 12 March 2025 15:49
To: [redacted]
Cc:
Subject: RE: Privileged - JR review pre-action protocol letter from Glenbrook

[redacted]

The contact is [redacted], copied in.

Regards
David

David Proctor
Assistant Director, Planning and Regeneration
Place Directorate
Wigan Council
Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ
07769 755859

d.proctor@wigan.gov.uk
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www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 12 March 2025 10:00
To: [redacted] Proctor, David
Subject: Privileged - JR review pre-action protocol letter from Glenbrook

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David,

I have left a voicemail. It is to ask for contact details of the Council's legal advisors in this matter.

Could you please confirm who that is (Council legal representative and Counsel) and le[redacted] of Walker Morris (copied in) have their telephone number and email address?

Many thanks

[redacted]

[redacted]
Director

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From: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ
Date: 20 November 2024 11:47:54
Attachments: image001.png
10833.001 Ashton Park BNG TN (002)_ISSUE_20112024.pdf
3578.TN01 - Transport Technical Note 201124.pdf
241002 Land North of Mosley Common DN.pdf

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Hi [redacted]

Further to our recent telephone call I am writing to update our understanding of matters relating to the recent consultation responses:

Highways

[redacted] of Eddisons has spoken to [redacted] and, by reference to the latest consultation response from highways has agreed the following:

Matters that can be conditioned:

- The number of car parking spaces to be provided as part of the RM submission
- Improvements (SCOOT) to the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction
- Provision of a pedestrian access gate at the south-western corner of the site to the existing PRoW to Woods Lane

Link Road:

- The highways impact of the proposed development is agreed – impacts are not 'severe' and do not give rise to a reason for refusal
- The 'link road' is not necessary to make the development acceptable in highways terms
- The applicant is willing to safeguard the line of a future road that would provide a link to the adjacent development and to the phase 2 land to the west (this is shown on the illustrative masterplan); and ensure that there is pedestrian / cycle access between the developments.
- Highways officers would prefer to see a condition imposed that would require any reserved matters application submitted in respect of layout to be accompanied by a connectivity and implementation plan, including details of a connection between the development site and the remaining Primary Employment Area Land allocation. It is Eddison's view that this is not justified on highways grounds.

I attach a copy of the Technical Note prepared by Eddisons confirming their discussions with the highways officer.

As you and I discussed, it is clear that the only area of disagreement now existing between Eddisons and the highway authority is whether it is necessary to impose a condition relating to the link road (as per the final bullet point above). In addition to Eddison's technical reasons as summarised above, I reiterated that there is no planning justification for the provision of a link road – it is not required by any policies or development briefs that have been adopted by the council; our parameters plan (for which we seek approval) does not preclude a future link road coming forward and shows where a connection is possible. Notwithstanding, our position is that a condition is unnecessary, and the link road issue

alone is not sufficient in the planning balance to refuse the application.

EHO Comments

The EHOs have provided comments on matters relating to noise and air quality. In each case, they do not raise any objections to the proposals subject to the imposition of various conditions. Our technical team has reviewed those suggested conditions and comment as follows:

Noise

CONG5—The limits proposed for both operational noise and fixed plant are the calculated impact rather than the proposed limit. This means the condition is more onerous than is necessary to protect amenity and the lower limits suggested by the EHO are unreasonable. A limit compared to the background noise levels referenced in the submitted Noise Assessment Report is more appropriate. The proposed amendments to the condition (reflecting the submitted Noise Report) are set out below:

> *Operational noise*
> *The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.*
> *• Daytime Monday to Sunday 07:00 to 23:00 36dBA 38dB(A)*
> *• Night time Monday to Sunday 23:00 to 07:00 29dBA 30 dB(A)*

Air Quality

Some of the suggested draft conditions are unnecessary given that this information has already been included as part of the application submission. Further, the suggested wording appears to be 'standard' and does not necessary reflect the application submission. See detailed comments below:

- In the suggested wording for Condition CONG1 (CEMP), under issue 'emissions to air', the wording suggests *"The scheme shall include details for the methods to be employed to control and monitor [...] dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2"*. The submitted AQA already provides this information and so this part of the condition is clearly unnecessary. Once the final CEMP is prepared, the stated measures could simply be represented as part of the eventual CEMP to be submitted. Alternatively, it may be more appropriate to amend the wording to state: *"dust mitigation measures as identified within SLR report reference: 402.065112.00001 rev 4.0 dated 28/03/2024 shall be implemented throughout the duration of the construction phase unless otherwise agreed in writing"*.
- Again, under the issue 'air quality', there's a recommended but un-named/numbered condition for which wording starts with reading *"In accordance with the Council's Development and Air Quality SPD (2021) [...]"* we would suggest that the front end of that condition is amended for consistency with the submitted AQA report as follows:

  > *In accordance with the Council's Development and Air Quality SPD (2021), no development shall be commenced until detail on the electric vehicle charging infrastructure is submitted to and approved in writing by the local planning authority. The scheme shall include the following measures:*

- There is no wording / detail provided under the CONG9 (Extraction of fumes and odours) or CONG11 (Extraction of dust) headings. It is unclear whether the EHO is seeking for such conditions to be included given that there are no source of fume / odours / dust on the site where any such conditions would typically relate. We would be grateful if you could clarify and, if necessary provide copies of CONG9 and CONG11 for our consideration.

BNG

We have given careful consideration to the points you have raised relating to BNG and, in particular, the challenges you perceive in imposing suitably worded planning conditions that ensure the BNG hierarchy is addressed at the RM stage and adequate provision is made for monitoring of any BNG that is provided within the application site.

In order to assist, TEP have produced a Technical Note to the BNG Report which confirms that:

- The approach adopted by TEP in preparing the BNG report follows an appropriate methodology that reflects the hierarchical approach
- GMEU are satisfied with that approach, and have confirmed that the final BNG assessment will be addressed at RM stage
- Appropriate planning conditions can be imposed to ensure that the BNG assessment at RM stage also follows the hierarchical approach to mitigation that:
    - Maximises on-site provision in the first instance;
    - Before considering other land within the applicant's ownership;
    - And then the purchase of off-site credits
- Wigan BC has recently approved an outline application (all matters except access reserved for future condition) with a range of conditions to secure 10% BNG in accordance with that approach – this includes a requirement for a 30-year management and monitoring plan. A copy of that decision notice is attached to TEP's Technical Note, which also includes a recommendation regarding an amendment to one of those conditions.

Subject to TEP's recommended amendments, the conditions that the Council has recently applied to other developments in the borough to secure BNG can clearly also be applied to this outline application.

I trust that the above is useful in summarising the current position and that you are now able to provide a draft list of conditions for our consideration and agreement – I note you indicated that you will require 5-working days to complete and so I look forward to receiving that list w/c 25th November. In the meantime, if you have any queries or wish to discuss further then please don't hesitate to contact me.

Kind regards

[redacted]

Director

[redacted]

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TECHNICAL NOTE

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Author:	PJB
Approved:	SAR/PJB

THE ENVIRONMENT PARTNERSHIP

[redacted]

Other Offices:

Market Harborough I Gateshead I London I Cornwall

PLANNING I DESIGN I ENVIRONMENT

Re: Application A/24/97381/OUTMAJ

Ashton Park, Ashton-in-Makerfield - Biodiversity Net Gain (BNG) Assessment Mitigation Strategy.

Introduction

The Environment Partnership (TEP) were originally commissioned by Caddick Developments and Messrs [redacted] and [redacted] in 2023 to undertake a Biodiversity Net Gain (BNG) assessment[1] of a proposed outline planning application at Ashton Park, off Lockett Road, Ashton-in-Makerfield (Application number A/24/97381/OUTMAJ) for the construction of B2/B8 warehouse accommodation of up to 33,445sqm (360,000sqft). The BNG report should be read in conjunction with this technical note.

Under the new mandatory biodiversity net gain rules, a minimum net gain of 10% is required on the final development. Noting the application is an outline application, based on the current indicative masterplan as submitted, which may be subject to change at a reserved matters stage, to reach this target the assessment determined that an additional 2.29 Habitat Units would be required. Based on the current assessment, biodiversity net gain is unlikely to be achieved within the application area. However, it is possible that the biodiversity unit deficit could be reduced further through careful design and landscaping considerations all of which can be dealt with at the detailed application stage.

[1] Biodiversity Net Gain Assessment – Ref 9688.02.004 TEP 2024

TEP were subsequently commissioned to undertake a preliminary landscape design masterplan to assess if the 10% net gain on site can be attained[2].

The masterplan identified that 10% could not be attained on-site based on the indicative development footprint as submitted alone, showing a deficit of -0.62 Habitat Units, however a gain of 2.01 Linear Hedgerow Units and 0.09 of ditch habitat could be achieved. Trading rules could also not be satisfied based on the post development masterplan from the loss of low distinctiveness habitats (arable and modified grassland) which cannot be replaced.

This approach has been standard practice for TEP since 2019 with regards to BNG feasibility assessment where the baseline gain or deficit is calculated using the client's masterplan. This allows the applicant opportunities to review the post development masterplan and offsite compensation options (if required) prior to full Reserved Matters (RM) application and design freeze.

Comments received from Greater Manchester Ecology Unit (GMEU Consultee Comments 28.06.24) agree that the shortfall does not give rise to a refusal at this stage and that revisions to the final on-site provision and off-site receptor or habitat bank can be found at the RM stage.

An example of this in practice is an outline application to Wigan Planning Authority (A/23/95155/OUTMES) for multi-phased residential development and supporting infrastructure granted on 2 October 2024. An initial BNG assessment was undertaken by TEP for the outline permission based upon the client's illustrative masterplan. The application was subsequently approved, with all matters other than access reserved, under conditions that each phase of development should incorporate a detailed on-site/off-site biodiversity enhancement and detailed 30-year monitoring plan. A certificate was also required confirming agreement to an off-site unit provider (conditions 31 – 33). A copy of the Council's decision notice is attached for reference.

Having reviewed that decision notice, we consider that condition 31 is ill-framed and should, in fact, relate to the submission and approval of an Ecological Precautionary Working Method Statement to inform the Construction Environmental Management Plan (condition 5). Our suggested alternative wording for condition 31 is set out below:

> ***Ecological Precautionary Working Method Statement***
>
> *Prior to the commencement of development, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified*

[2] Landscape Master Plan D10269.001B – TEP 2024

within the Ecological Assessment shall be submitted to and approved by the Local Planning Authority. The PWMS should be included as ecological input to inform the contractors environmental method statement (CEMP) to ensure reasonable avoidance measures, where required, are put in place prior to site clearance and for the duration of the construction works.

Mitigation Strategy

A biodiversity mitigation strategy should be developed to attempt the meet the shortfall in trading rules and achieve a net gain. Once units on-site have been maximised, off-site mitigation should be considered. Land owned by the client, may be used to provide offsite units (outside of the application area) to deliver biodiversity net gain and to endeavour to satisfy the trading rules that on-site (within the application area) landscaping cannot.

Following the BNG mitigation hierarchy, if the maximisation of gains on-site and the use of off-site mitigation still does not generate enough biodiversity units to achieve a 10% net gain, the purchase of units, where required, can be finally considered. Discussions with the LPA will take place with the intention of securing the shortfall through the purchase of biodiversity credits, which will be used for enhancement and creation of new and existing habitat/wildlife sites to increase the biodiverse connectivity and ecological corridors within the authority. Other private habitat banks and/or land brokers are also available to sell units for the Scheme to achieve 10% net gain.

To fully meet BNG requirements, a detailed 30-year management and monitoring plan will be necessary (HMMP). It is assumed that this information can be committed to using a suitably worded condition along the lines of condition 32 of the attached decision notice.

The plan will need to include management prescriptions which aim to achieve the specific target condition for each habitat, based on the Statutory Biodiversity Metric condition criteria. The plan will also need to include the methods and reporting processes to be used for monitoring the success of habitat enhancement and creation along with options for remedial intervention where needed if a habitat is not achieving its targeted condition. Roles and responsibilities, along with financial and legal requirements should also be included.

Attached: 241002 Land North of Mosley Common DN

Form P2A
Town and Country Planning Act 1990

Wigan Council

Outline Planning Permission

Name and Address of Applicant

[redacted]

Name and Address of Agent (if any)

[redacted]

Part I – Particulars of Application

Date of Application: 21st February 2023

Application No: A/23/95155/OUTMES

Particulars and Location of Development:

Outline planning application on land to the South of the guided busway ('Southern Parcel') for a multi-phased, severable residential development (Use Class C3), with all matters reserved apart from the main access point into the site from Bridgewater Road requiring the demolition of 15 Bridgewater Road, land to facilitate the expansion of St Johns Primary School, new parkland and wetland, public open space, children's play space, and provision of new and enhancements to existing footpaths and cycleways and, where applicable, the re-routing, upgrading and extension of the Public Rights of Way network

Land North Of Mosley Common South Of The Guided Busway Worsley

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Part II - Particulars of Decision.

Wigan Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 2004 that permission has been granted for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted.

Consent is granted subject to the following conditions:

1. No phase of the development hereby approved in outline, the extent of which is defined on Plan Ref: Ref: 01941_S_08 Rev P2 (hereafter referred to as the "outline permission") shall be begun until details of all of the reserved matters for that specific phase (appearance, landscaping, layout, and scale) have been submitted to, and approved in writing by, the Local Planning Authority.

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2. Applications for the approval of reserved matters for all phases of the outline permission must be made no later than the expiration of eight years beginning with the date of this permission; and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. Each phase of the outline permission shall thereafter be implemented in accordance with the approved reserved matters in respect of that phase.

3. The outline development hereby approved, and all subsequent reserved matters applications for any phase of the development shall accord with the following approved plans and documents:

   - Location Plan (Southern Application Boundary - Outline) Ref: 01941_S_08 Rev P2
   - Design Code Ref: 10941 Final P2, dated 06.11.2023
   - Parameters Plan (South) Access and Movement Ref: 01941_PP_S01 Rev P2
   - Parameter Plan (South) Land Use and Green Infrastructure Ref: 01941_PP_S02 Rev P2
   - Parameter Plan Building Heights (South) Ref: 01941_PP_S03 Rev P2
   - Proposed Access onto Bridgewater Road Ref: M21015-A-052

4. No more than 244 dwellings shall be constructed as part of the development hereby approved.

5. Prior to the commencement of any phase of development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for each phase of the development. The scheme shall include as a minimum the following:

   - Methods to be employed to control and monitor noise, dust and vibration impacts;
   - Schedule of construction works, dates and hours;
   - Traffic Routes;
   - Interface between on site and off-road movements and pedestrians;
   - Measures to control disruption;
   - Health & Safety requirements;
   - Monitoring and Management;
   - Construction Heavy Goods Vehicle routing;
   - Site cleaning measures for vehicles;
   - Management plan to control surface water runoff during construction phase and measures to mitigate the risk from contaminated surface runoff;
   - On-site staff and contractor parking clear of the public highway
   - On-site materials storage area
   - A waste strategy for managing and disposing of waste generated during construction.

   The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority prior to the commencement of construction works and maintained for the duration of the construction works.

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6. Prior to the commencement of any phase of development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, a method statement for the construction of the parking area, construction of the foundations close to the trees' RPA and locations of all services which must not encroach into the no cellular parking area for that phase shall be submitted to and approved in writing by the Local Planning Authority. All existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

7. Piling or other foundation designs using penetrative methods for any part of the development hereby approved, shall not be carried out other than with the express written consent of the Local Planning Authority, where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

8. No surface water will be permitted to drain directly or indirectly into the public sewer, unless agreed in writing with the Local Planning Authority.

9. Prior to the commencement of any phase of the development hereby approved, a Construction Training and Employment Management Plan (CT&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP will aim to promote training and employment opportunities for local people and include:

   - Measures to ensure the owner and contractors work directly with local employment and training agencies;
   - Targets for employing local labour;
   - Targets for work experience opportunities;
   - Measures to provide training opportunities in respect of any new jobs created; and
   - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

   The development for that phase hereby approved shall be carried out in accordance with the agreed CT&EMP and any amendments to the CT&EMP shall be agreed in writing with the Local Planning Authority.

10. Prior to the commencement of above ground works for any phase of development, full details of both hard and soft landscape works, with associated implementation plan, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

    proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure,

Duplicate

schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

11. Prior to first occupation of for any phase of development hereby approved, a sustainable drainage management and maintenance plan for that phase of the development, for the lifetime of that phase of the development shall be submitted to and agreed in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

    i. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and

    ii. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

    The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

12. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

13. Prior to the commencement of above groundworks for any phase of development, a lighting design strategy for biodiversity for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

    a) identify those areas/features on site that are particularly sensitive for bats that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

    b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory

    or having access to their breeding sites and resting places.

    All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

14. Prior to the commencement of any subsequent phase of development

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hereby approved as part of the outline permission, a ground investigation and remediation strategy to deal with the risks associated with contamination of the site in respect of the particular phase of development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

i. Prior to the development commencing:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

Post demolition but prior to any further development commencing:

ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off- site.

iii. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required, including a Gas Protection Design Report if gas protection measures are required, and how they are to be undertaken.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Prior to the occupation of the development:

v. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

15. An 8m wide buffer zone from Honksford Brook, measured from the top of the riverbank, shall be maintained as part of the lifetime of the development. An adequate buffer zone scheme demonstrating it will be free from built development including lighting, domestic gardens and formal landscaping must be submitted to, and approved in writing by, the Local Planning Authority.

16. Prior to the commencement of any above ground works for each phase of the development hereby approved, a scheme for public way-finding signage within the development shall be submitted to the Local Planning Authority for approval. The scheme shall include location,

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materials, scale and appearance of the way-finding signs. The scheme shall be fully implemented prior to occupation of any of the buildings hereby approved.

17. Prior to the commencement of any above ground works for each phase of the development hereby approved, a detailed lighting strategy shall be submitted to the Local Planning Authority for approval. The strategy shall include details of the location, height, design and appearance, specification of the lighting columns and lamp heads, levels of luminance and a schedule for the implementation of the lighting. The development shall be carried out in accordance with the approved scheme.

18. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off-site highway works for improvements towards Ellenbrook Road/ Newearth Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense. The development shall be carried out in accordance with the approved details and implemented prior to the occupation of the final dwelling, hereby approved, or as otherwise agreed in writing with the Local Planning Authority.

19. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works proposed, including or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off- site highway works for improvements towards A580/Walkden Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense and implemented prior to the occupation of the final dwelling, hereby approved, or otherwise agreed in writing with the Local Planning Authority.

20. No part of the development hereby approved shall be occupied until the visibility splays defined on Drawing No. M21015-A-052 are cleared of all obstructions to visibility to footway/verge level/all obstructions to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

21. Prior to first occupation of each phase of the development hereby approved, full details of the maintenance and management arrangements for the on-site Open Space and Play Equipment, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out and maintained in accordance with the approved details at all times thereafter.

22. Prior to the demolition of any building(s) on the site associated with any phases, a demolition strategy for each respective building(s) to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include details for the methods to be employed to monitor and control impacts arising during these works, including demolition traffic, noise, dust and vibration, and shall indicate

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how these sites shall be left and secured should an interim period occur before the construction of the respective development phase is undertaken in these locations. The demolition of the buildings and the retention of the sites, where appropriate, shall be carried out in full accordance with the approved strategies at all times.

23. No dwelling or building within any phase of the outline permission shall be first occupied until its associated car parking has been constructed, drained, surfaced and is available for use in accordance with details which shall be first submitted to, and approved in writing by, the Local Planning Authority. All approved parking areas shall thereafter be retained and not used for any other purpose.

24. As part of any application for Reserved Matters approval for any phase of the development hereby approved in outline, the following details shall be submitted in respect of that phase:

a) Full site survey showing existing and proposed levels of the buildings, roads, footpaths and other landscaped areas
b) Finished floor levels of all buildings (defined relative to datum or datum points)
c) Details of the particulars or samples of the materials to be used for the external walls and roof
d) All boundary treatments to be carried out on all the perimeter boundaries on that phase and details of any boundary enclosures to be erected or grown within that phase
e) A scheme (including a programme for its implementation) for the provision of open space and children's play facilities within and/or for that phase
f) Scale, type and design of the open space and children's play facilities to be provided within and/or for that phase)
g) Crime impact statement
h) Updated Phasing Plan and Schedule. The Phasing Plan shall include details of the maximum number of dwellings, and any other development, to be implemented within each phase of the development. The schedule shall include as a minimum a timetable for implementation and indication of when development will come forward the quantum of development and mix of uses for each phase
i) Design Code compliance statement to ensure quality and compliance with the approved Design Code and Parameters Plans.
j) Updated Ecology surveys where necessary, and any subsequent monitoring and mitigation required for each phase.
k) Updated public right of way plan and strategy
l) Updated and accurate tree survey
m) scheme for the provision of electric vehicle charging points for each dwelling
n) cycle and refuse storage

No phase of the development hereby approved, shall be occupied until the approved details set out above have been carried out in respect of that phase. Thereafter, the approved details for each phase shall be retained for the lifetime of that phase.

25. As part of any subsequent application(s) for reserved matters approval, in respect of layout, scale or landscaping a hard and soft landscaping scheme, with an associated implementation plan shall be submitted to the Local Planning Authority for approval. The development shall accord with the principles set out in Landscape Design Code (dated February

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2023, R001v1 EN). Such a scheme shall include:- proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure, schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled as part of that particular phase. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

26. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, comprising of over 150 dwellings, an updated Health Impact Assessment shall be submitted for approval.

27. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, full details of the foul and surface water drainage scheme for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The foul and surface water drainage schemes must include the following details as a minimum:

    i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    ii. Should infiltration be discounted, surface water will drain to watercourse at an agreed controlled rate;
    iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    iv. An overland flow and exceedance plan;
    v. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;

    vi. Any drainage infrastructure connections (foul water) including the volume of flows between phases / development parcels;
    vii. Any drainage infrastructure connections (surface water) including the volume of flows between phases / development parcels;
    viii. Identify any parts of the site where foul pumping is necessary including the timing arrangements, storage requirements and rate of discharge for any pumped foul discharge. Thereafter, the strategy shall minimise the number of pumping stations;
    ix. Evidence of that any foul and surface water drainage systems mitigate the risk of pollution from controlled waters for the lifetime of the development; and
    x. To ensure the development is flood resilient.

    Foul and surface water shall drain on separate systems. The details for each phase or part phase must be consistent with the updated site wide Foul and Surface Water Drainage Strategy submitted and approved pursuant to the above. The approved schemes shall also be in accordance with the Non- Statutory Technical Standards for Sustainable Drainage

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Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted.

28. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, an assessment of the nature and extent of noise affecting the residential development site. The assessment shall be carried out in accordance with a methodology which has been previously agreed in writing with the Local Planning Authority and shall identify mitigation measures required to protect the development. The approved mitigation measures shall be implemented in full before first occupation of the dwellings and shall be retained thereafter.

29. Prior to commencement of any phase of the development hereby approved, a scheme detailing how each phase of the development can achieve zero carbon, in terms of construction (from 2028) and subsequent operation shall be submitted to the Local Planning Authority for approval. This shall include Low Carbon technologies which have been incorporated into the design and construction of that building and for the purposes of this condition the Low Carbon technologies are considered to comprise GSHP; ASHP; Photovoltaics; Battery Storage and Solar Thermal panels. The development shall be carried out in full accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

30. Prior to the commencement of works of any phase hereby approved,, the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

    i. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
        - an archaeological evaluation through trial trenching;
        - dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).

    ii. A programme for post-investigation assessment to include:
        - production of a final report on the significance of the below-ground archaeological interest.

    iii. Deposition of the final report with the Greater Manchester Historic Environment Record.

    iv. Dissemination of the results of the archaeological investigations commensurate with their significance, which may include publication and the installation of an information panel.

    v. Provision for archive deposition of the report and records of the site investigation.

    vi. Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

31. Prior to the commencement of each phase of the development hereby approved, a Construction Environment Management Plan (CEMP) and

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Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure a 10% net gain in biodiversity across the development site as a whole, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP and HMP document the following information shall be provided:

i. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
ii. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation;
iii. Details of reasonable avoidance measures to be implemented during groundworks to avoid any possible harm to amphibians and small mammals;
iv. Measures to prevent water pollution, and measures to mitigate potential noise and visual disturbance to the nearby landscape;
v. Details of both species composition and abundance where planting is to occur;
vi. Proposed management prescriptions for all habitats for a period of no less than 30 years;
vii. Assurances of achievability;
viii. Timetable of delivery for all new and enhanced habitats; and
ix. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed- back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

32. Prior to the commencement of each phase of the development hereby approved, a scheme detailing on-site and if required off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall net gain in biodiversity, and shall include:

i. Details of the offset requirements of the development, in accordance with a recognised biodiversity offsetting metric;
ii. The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
iii. The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
iv. A management and monitoring plan, to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:

- Description of all habitats to be created/enhanced with the scheme including expected management condition and total area;
- Review of the ecological constraints;
- Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including

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extent and location of proposed works;
- Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
- Identification of the persons responsible for implementing the works;
- A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
- A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

33. Prior to the commencement of any subsequent phase, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units has been submitted to and agreed in writing by the Local Planning Authority where necessary. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

34. Prior to the commencement of any phase of development hereby approved, a detailed flood risk assessment which confirms the fluvial flood risk extents associated with Honksford Brook for the 3.33% (Flood Zone 3b), 1% (Flood Zone 3a), 1% + climate change allowance and the 0.1% (Flood Zone 2) AEP events. The detailed flood risk assessment must adequately demonstrate the proposed developments will be flood resilient and a detailed flood risk assessment or scheme must adequately demonstrate the functional floodplain will be safeguarded. The detailed flood risk assessment shall be fully implemented and subsequently maintained, in accordance with the detailed flood risk assessment /scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

35. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

36. Prior to the first occupation of any future phases of development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways.

    The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

a) the identification of targets for trip reduction and modal shift;
b) the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
c) further details for the development and implementation of the

Public Site

proposed guided busway stop and travel hub;

d) the timetable / phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
e) the mechanisms for monitoring and review;
f) the mechanisms for reporting;
g) the remedial measures to be applied in the event that targets are not met;
h) the mechanisms to secure variations to the Travel Plan following monitoring and reviews. Management of the Travel Plan should continue throughout the lifetime of the development:
a) The appointment of a Travel Plan Co-ordinator;
b) An updated Travel Plan prior to first occupation of any future phases of development, associated with the outline permission;
c) An annual survey of residents to ensure that measures are targeted and are appropriate for a period no shorter than five years after full build-out.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain for a period no shorter than five years after full build-out, unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with National Highways (or any subsequent body).

37. Development shall not commence on any part of the application site that is not already bound by the agreement dated 26th September 2024 entered into under Section 106 of the Town and Country Planning Act 1990 in respect of this planning permission unless all proprietors of any freehold interest, leasehold interest and financial charge in respect of those respective parts of the site have entered into a confirmatory deed under Section 106 of that Act so as to bind such interests with and make those interests subject to the planning obligations in the Section 106 Agreement relating to this planning permission

The reasons for the conditions are:

1. Part of the application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

3. For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

4. For the avoidance of doubt, to ensure a satisfactory standard of development and restriction on the quantum of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

5. Prior approval of such details is necessary since they are fundamental to

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the initial site preparation works and Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

6. To ensure that construction materials, equipment and associated structures are not sited where they will cause detriment to the amenity of the area, having regard to Policies CP7 and CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

7. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

8. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

9. To ensure that the proposal supports training and employment opportunities, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

10. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

11. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

12. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework

13. To ensure there is not harm caused to protected species in accordance with Wigan Local Plan Core Strategy policy CP12 and National Planning Policy Framework.

14. Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

15. To ensure the site is satisfactorily drained, to avoid contamination of the surface water system, to reduce the impact of flooding to the proposed development and elsewhere, to ensure the protection and enhancement of habitat, features and species of ecological interest, to ensure that the impacts of the development on biodiversity are adequately mitigated and to help to assimilate the proposed development into its surroundings, having regard to Policies CP8, CP9, CP10, CP12, CP16 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

16. To ensure a high-quality attractive signage and effective directional signage for visitors to the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy

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Framework.

17. To ensure a safe and high-quality lighting scheme for the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy Framework.

18. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

19. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

20. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

21. To ensure the proposal provides on-site amenity space for residents, having regard to Policy CP4 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

22. To safeguard the amenities of the adjoining premises and the area generally, to provide an acceptable level of mitigation for air quality during the demolition phases and to ensure the demolition sites are maintained in a safe and appropriate manner should the development in these locations not follow on immediately from the demolition of the building(s), having regard to Policies SD1, CP1, CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

23. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

24. For the avoidance of doubt and to ensure satisfactory standards of appearance, layout and scale are achieved in accordance with Wigan Local Plan Core Strategy Policies CP10, CP11 and CP17, saved UDP Policy EV4A and National Planning Policy Framework.

25. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

26. To ensure compliance with the Health for All SPD and National Planning Policy Framework.

27. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

28. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

29. To provide opportunities to maximise the sustainability of the development and to contribute to air quality improvements, having regard to Policies SD1, CP1, CP13 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary

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Development Plan and National Planning Policy Framework.

30. The Local Planning Authority considers the site is of archaeological interest and wishes to secure the satisfactory removal of the archaeological remains and/or recording of the subsequent findings, as required by Policy CP11 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

31. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

32. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

33. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

34. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

35. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

36. To reduce the need to travel to and from the site by private vehicle and in order to promote sustainable modes of travel to and from the site having regard to Policy CP7 of the Wigan Local Plan Core Strategy and the Council's Travel Plans Supplementary Planning Document and National Planning Policy Framework.

37. To ensure a comprehensive form of development, having regard to Places For Everyone Policy JPA32 and the National Planning Policy Framework

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to identify solutions to ensure the proposal comprises sustainable development in accordance with the NPPF and complies with the development plan.

Informatives

1. Attention is drawn to the following information from the Local Authority. It is relevant to all proposals involving new build development.

   The proposed development lies within a coal mining area. In the circumstances when carrying out of their proposals applicants should take account of any coal mining hazards relating to stability, health and safety or adverse environmental impacts. This includes considering the potential for existing property and new development to be affected by mine gas. Such hazards may currently exist, be caused as a result of the

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proposed development, or occur at some time in the future. Developers must also seek permission from the Coal Authority before undertaking any operations that involve entry into any coal seams, coal mine workings or coal mine entries (shafts and adits) and the implementation of site investigations or other works. Failure to obtain such authority is trespass with the potential for court action. Developers must obtain property specific summary information from the Coal Authority on any past, current and proposed surface and underground coal mining activity and other ground stability information that could affect the development. Further information can be found at www.coal.gov.uk/services/planning/index.cfm.
The Coal Authority's Property Search Service can be contacted on 0845 762 6848 or at www.groundstability.com.

2. You are advised that this development may be subject to the requirements of the Building Regulations 2000. In this case you will need to meet the specific requirements of Approved Document M (2004 Edition) "Access to and use of buildings".

   The Building Regulations application must include an Access Statement showing your commitment to inclusive design at an early stage.
   For further design guidance refer to British Standard 8300:2001 "Design of buildings and their approaches to meet the needs of disabled people".
   You are also advised that the Disability Discrimination Act 1995 requires service providers to take reasonable steps to overcome any physical barriers which continue to make their services impossible or unreasonably difficult for disabled people to use. For further information on this please contact the Disability Rights Commission at: www.drc-gb.org

3. The applicant is advised that the grant of planning permission does not confer any right to enter onto or to carry out work(s) on, over or under land over which they do not have control, or have the landowners consent.

4. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, with the survey and written confirmation of such having been agreed in writing by the Local Planning Authority prior to the works commencing.

5. Any works on the highway must only be carried out with the express consent and approval of the Highway Authority. This includes the installation of dropped kerbs, any new vehicular access or alteration to an existing vehicular access. All redundant vehicular accesses adjacent to the site must be removed and appropriate footway construction reinstated. All changes to the highway layout that alter the layout, function or nature of the highway may require a Safety Audit or Safety Check. It is the developer's responsibility to check that these requirements are met.

6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

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www.gov.uk/government/organisations/the-coal-authority.

7. For noise and vibration please refer to BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014, Code of practice for noise and vibration control on construction and open sites, Part 1 Noise and Part 2 Vibration and other relevant legislation, standards and guidance. Our standard advised construction hours are Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00, no work on Sunday and public/bank holidays. CEMP controls and monitoring should include full and appropriate consideration of any identified land contamination issues. Please refer to Wigan Council's Guidance Note 'Construction Environmental Management Plans', August 2019 - https://www.wigan.gov.uk/Docs/PDF/Resident/Planning-and-Building-Control/Planning-guidance/Construction-Environmental-Management-Plans-guidance-note.pdf

8. The use of vibro/stone columns may not be suitable above grouted mine workings as they may provide a seepage pathway for ground gas (see Chapter 4.5.5, NHBC Standards). If the use of vibro/stone columns is proposed above grouted mine workings, this will need to be fully considered and detailed within the assessment and Gas Protection Design Report.

9. All site users should be made aware of any remedial measures incorporated within the development in order to break the pathway between any residual contaminants, including any ground gas, and the importance thereof. Remedial measures may include, but not limited to, clean capping layers to gardens, gas protection measures and water supply barrier pipe. As with all remedial measures, the integrity should be maintained and appropriate precautions taken should any future developments be undertaken at the site, i.e. extensions, conservatories, garages, landscaping and utilities etc., including the appropriate handling and disposal of any contaminated arisings generated by excavations.

   All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

10. For gas protection measures, the detailed design and specification of the protection measures should also be recorded in a design report (this can be appended to the remediation strategy), with the gas protection design, product specifications and verification plan being clearly defined and justified, as detailed within BS 8485:2015+A1:2019 and CIRIA C735.

11. Wigan Council has adopted the latest version of the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) Guidance 'Verification

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requirements for cover systems' (version 4.1, June 2021), which will need to be considered as part of any remediation strategy

12. It is advised that the environmental consultant and landscape architect work together and adopt a holistic approach to a clean cover system (if required) and landscape design in accordance with the Council's Landscape Design SPD.

13. The applicant is requested to note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property, i.e. coal seams and associated workings. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

14. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of Honksford Brook which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

    https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

    If an outfall into Honksford will be required as part of the development, a Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. The Environment Agency has a preference for structures set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course

15. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. However, this permission will not require the approval of a biodiversity gain plan before development is begun because the application was made before 12 February 2024.

16. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project

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- some naturally occurring clean material can be transferred directly between sites

  Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

17. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

18. It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

Date of decision
2nd October 2024

Signed
on behalf of the Council

NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Department for Communities and Local Government in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Department for Communities and Local Government has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Department for Communities and Local Government is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop the land is refused or granted subject to conditions, whether by the local planning authority or by the Department for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest

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in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Department for Communities and Local Government on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
(a) The statutory requirements are those set out in section 78 of the Town and Country Planning Act 1990, namely sections 70, 71 and 72 of the Act.

IMPORTANT NOTICE

Discharging planning conditions - Information is available on our website to explain the process this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Apply.aspx

Street naming and numbering is a legal function of the council to allocate numbers and road names to new developments and conversions
Information is available on our website to explain the process for requesting postal addresses and street names this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Street-naming/index.aspx

Should your planning permission relate to residential development, on completion of the above street naming and numbering process waste and recycling bins for the new properties can be ordered by following the links below:

https://www.wigan.gov.uk/Docs/PDF/Resident/Bins-Recycling/Developers-Guide-Bulk-Bin-Deliveries.pdf

https://developerbins.wigan.gov.uk

Please be aware that you will need a street name and numbering reference number to complete the waste and recycling bin order process.

This is NOT a consent under the Building Regulations.

These documents grant approval of your application submitted under the Town and Country Planning Act 1990 only and do not imply the Council's approval to any other consents which may be required. It is your responsibility to obtain any such other consents.

Before commencing work you should ensure that approval is obtained under the Building Regulations 2000 and/or any other Act.

Please note that different time limits for starting development usually apply to Planning Permission and approval under the Building Regulations. If Building Regulation works are not commenced within 3 years from the date of deposit, a

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new application must be made.

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PROPOSED EMPLOYEMENT DEVELOPMENT, ASHTON PARK, ASHTON-IN-MAKERFIELD – TECHNICAL NOTE – NOVEMBER 2024 (3578)

Introduction

Eddisons have been instructed by Caddick Developments and [redacted] ('the applicants') to produce a revised Transport Assessment to assist the Local Planning Authority's determination of an outline planning application for the provision of the Ashton Park employment development on land off Lockett Road in Ashton-in-Makerfield, which forms part of the wider South Lancashire Industrial Estate (Planning Ref: A/24/97381/OUTMAJ).

This Technical Note has been produced in response to the Wigan Council Highway Consultation Response dated 16th October 2024. This Note will consider the pertinent issues raised within the Highways Response **(Appendix 1)**;

- Pedestrian Access;
- Car Parking;
- Provision of Spine Road;
- Off-site Highways Improvements.

Pedestrian Access

Within the Consultation Response, the highways officers at Wigan Council (WC) have requested that as part of the proposed access road arrangements, a 2 metre footway and 3 metre shared footway be provided. This request is noted and as part of the proposals a 3 metre shared cycleway is to be provided on the northern side of the carriageway and 2 metre footway provided on the southern side of access road.

The proposed access arrangement drawing is shown in **Drawing 3578_F01_J**.

As part of the proposals, a gated pedestrian access into the site off Woods Lane is proposed, within the WC Consultation Response, the following is stated;

"Whilst this is acceptable in principle further information is required regarding the condition and access rights to Woods Lane as access is currently restricted."

In terms of the condition of Woods Lane, it is confirmed that the route between the application site and the A58 Bolton Road is surfaced and suitable for pedestrian usage. With regard to the access rights, it is confirmed that the applicant has access rights over the use of Woods Lane and that any existing on-site obstructions have been removed.

It is concluded that the proposals will provide pedestrian and cycle connectivity to the surrounding area and provide opportunity for trips to and from the site to be undertaken by non-car modes.

Car Parking

Within the Highways Consultation Response the following comment is raised regarding car parking provision;

"The application proposes to provide a total of 335 car parking spaces, which includes 17 accessible parking spaces. The applicant must provide evidence to justify the considerable shortfall in number of parking spaces."

Justification for the levels of car parking is provided within the submitted Transport Assessment (Section 3.4 of TA). This has been accepted by WC in subsequent discussions and they have agreed that the level of car parking on the site can be attached as a suitable worded planning condition to any future planning consent for the site.

Provision of Link Road

In the Consultation Response, the highways officers at WC have requested that the application proposals *'provide a commitment to deliver a road connection between the development site and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.'*

The capacity assessments contained within the submitted Transport Assessment have indicated that such a vehicular link is not required to mitigate any highway capacity issues, this is not disputed by the highways authority - the highways impact is not 'severe' and there is no justification to refuse planning permission on highways grounds. Notwithstanding, the highways officer has indicated that a planning condition is required and that it should have the same wording as Condition 5 which is was attached to the neighbouring 'land to the east' planning application (LPA ref: A/21/92036/OUTMAJ)'.

We do not agree with the officer's conclusion – as such condition is clearly not necessary to make the development acceptable in highways terms. Further, the applicants have confirmed their willingness to accept a condition to ensure that pedestrian / cycle access is provided between the two sites and safeguard the opportunity to provide a vehicular route through both sites if required in the future.

Off-site Highway Works

Following consideration of the traffic impact of the proposals on the local highway network, WC have requested that the following off-site works be provided at the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction;

"There is scope to improve the performance of the junction by updating the SCOOT operation of the junction to allow for extra traffic queues. This includes moving the SCOOT loops further back from the stop lines and SCOOT re-validation. This can be secured via planning condition and delivered by Transport for Greater Manchester, who maintain and operate associated traffic

control equipment for the council."

The costs of these works has been requested from Wigan Council, subject to the further details of these costs, the applicant agrees in principle to the provision of these off-site highway works.

Summary

This Technical Note has been produced in response to the Wigan Council highways consultation response dated October 2024. In conclusion, the proposed employment development will provide a sustainable development in transport terms and planning permission should be granted in accordance with the NPPF.

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Appendix 1 – Wigan Council Highway Consultation Response – October 2024
Drawing 3578_F01_J – Proposed Access Arrangements

APPENDICES

APPENDIX 1

Wigan Council Highway Consultation Response – October 2024

Places Directorate: Economy, Waste and Infrastructure
Memorandum

To:	[redacted]	**From:**	[redacted]
			Transport Policy
Ref:	A/24/97381/OUTMAJ	**Date:**	16/10/2024

Application No: A/24/97381/OUTMAJ
Proposal: Outline application with details of means of access only from Lockett Road for the construction of (Use Class B2/B8) warehouse accommodation of up to 33,445sqm (360,000sqft) total including integral offices, with associated car and commercial vehicle parking, servicing and landscaping. All other matters reserved
Location: Ashton Park, Land Off Lockett Road, Ashton in Makerfield, WN4 8TF
Grid Reference: E 358397, N 400335

Context
The proposal is an outline application with details of means of access only from Lockett Road for the construction of (Use Class B2/B8) warehouse accommodation of up to 33,445sqm including integral offices, with associated car and commercial vehicle parking, servicing and landscaping with all other matters reserved.

The site forms part of a wider allocation for employment development that was first identified in the adopted Wigan Unitary Development Plan in 2006, and subsequently carried forward as saved policy upon adoption of the Wigan Core Strategy in 2013.

The land to the immediate east has planning permission which was granted on appeal in 2023 for a scheme of 58,064sqm of industrial / warehouse accommodation (A/21/92036/OUTMAJ).

The overall site is currently used as agricultural land and is bound to the northwest by an existing industrial estate, whilst agricultural land bounds the site to the north-east, south-west and south-east.

The adopted highway of Lockett Road is located along the north-western boundary of the application site. It is a single carriageway road which runs through the South Lancashire Industrial Estate. It is subject to a 30mph speed limit and has a carriageway width of circa 8.5 metres and footways are provided on either side of the carriageway. Lockett Road is a loop road providing access to the B5207 Bryn Road in two locations via priority-controlled junctions.

Accessibility
Footways are located on Lockett Road and the B5207 Bryan Road in the vicinity of the application site. These footways have a minimum width of 2 metres and are located on both sides of the carriageway. It is proposed for Lockett Road to be extended into the site to serve the development and the wider employment allocation.

The land to the immediate east which has planning permission includes a 3m shared facility for pedestrians and cyclists on one side of the access to the A58 Bolton Road. There is a standard 2m footway on the other side of the carriageway. This standard of infrastructure is required to serve the proposed development and any future parcels of land that come forward as part of the wider employment allocation. Furthermore, this is also the standard required for the access road to become adopted highway.

It is proposed to a create a pedestrian access to the development via Woods Lane to provide access to bus stops situated along the A58 Bolton Road. The bus services operating from these stops provide various services throughout the day to destinations such as Manchester city centre, Wigan town centre, Leigh and Bolton. The number 10 bus service in particular provides a high frequency service between Wigan and Leigh throughout the day and evening hours. Whilst this is acceptable in principle further information is required regarding the condition and access rights to Woods Lane as access is currently restricted.

Site Access Arrangements
it is proposed for Lockett Road within the vicinity of the proposed development to be amended to provide a priority-controlled junction, with the vehicles travelling to and from the site having priority over the Lockett Road traffic. This reflects the change in vehicle movements in the area as a result of the proposed development and the wider employment allocation. Operational assessments have been undertaken to demonstrate that this arrangement works in capacity terms.

Parking
The councils Parking Standards require 1 space per 60sqm for the proposed B2 land use and 1 space per 100sqm for the proposed B8 land use. As the exact quantum of B2/B8 land use is yet to be determined the council must assess the demand for parking using the most onerous standard, which in this instance is B2. This equates to the requirement for 557 spaces.

The application proposes to provide a total of 335 car parking spaces, which includes 17 accessible parking spaces. The applicant must provide evidence to justify the considerable shortfall in number of parking spaces.

The councils Parking Standards require 4 spaces plus 4% of total parking spaces to be accessible for car parks with over 200 parking spaces. Whilst the quantum of accessible parking spaces is currently acceptable, it should be noted that any further increase in the number of parking spaces must also include additional accessible parking space provision.

The application proposes to provide covered and secure cycle parking provision located off pedestrian/cycle access into the site in a safe and convenient location. The councils Parking Standards require 1 space per 700sqm for the proposed B2 land use and 1 space per 850sqm for the proposed B8 land use. As the exact quantum of B2/B8 land use is yet to be determined the council must assess the demand for cycle parking using the most onerous standard, which in this instance is B2. This equates to the requirement for 47 spaces. This will be secured via planning condition.

Highway Network
Traffic surveys were undertaken on Wednesday 15 and Wednesday 22 November 2023, at the junctions within the vicinity of the development listed below. This was agreed with the council prior

to the surveys taking place and is the same as the scope agreed for the consented 'land to the east' planning application:

- B5207 Bryn Road/Lockett Road priority-controlled junction
- A58 Bolton Road/B5207 Bryn Road signal-controlled junction
- A58 Bolton Road/Bryn Road South priority-controlled junction
- A58 Bolton Road/B5207 Golborne Road signal-controlled junction
- A573 Warrington Road/A58 Lily Lane/B5237 Bickershaw Lane signal-controlled junction
- A49 Warrington Road/A58 Bolton Road/Princess Road/A58 Gerard Street signal-controlled junction
- A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street signal-controlled junction
- A58 Liverpool Road/M6 Junction 24 Off-slips signal controlled junction
- A58 Liverpool Road/M6 Junction 24 On-slip priority-controlled junction
- A49 Wigan Road/ B5207 Bryn Road/Downall Green Road signal-controlled junction (Bryn Crossroads)
- A49 Warrington Road/M6 Junction 25 Slip Roads/A49 Wigan Road roundabout junction

It is anticipated that the proposed development will open in 2027 and therefore operational assessments have been undertaken for 2027 and 2032 with appropriate traffic growth factors and committed developments applied.

The proposed development is forecast to result in 209 two-way vehicle movement in the weekday AM peak and 184 two-way vehicle movements in the weekday PM peak. The impact of the traffic generated by the proposed development on the local highway network is as follows:

Lockett Road/Site Access Junction
The junction is forecast to operate within capacity in 2027 and 2032. It is therefore concluded that there is sufficient capacity to accommodate the proposed development.

B5207 Bryn Road/Lockett Road
The proposed development will have minimal impact on the operation of this junction in both 2027 and 2032.

A58 Bolton Road/B5207 Bryn Road
The junction is forecast to operate within its actual capacity in the 2027. With the addition of the development traffic, the junction is forecast to continue to operate within its actual capacity with minimal increases in average delay in both peak periods.

The junction is forecast to operate within its actual capacity in 2032. With the addition of the development traffic the junction will operate within its actual capacity with minimal increases in average delay in both peak periods.

A58 Bolton Road/Bryn Road South
The junction is forecast to operate within its actual capacity in 2027. With the additional of the development traffic the junction will operate within its actual capacity with minimal increases in average delay in both peak periods.

The junction is forecast to operate within its actual capacity in 2032. With the addition of the development traffic, there is forecast to be minimal increases in delay in both peak periods.

A58 Bolton Road/ B5207 Golborne Road

The consented 'land to the east' development proposes an improvement scheme at this junction. The improvement scheme is forecast to operate within its actual capacity in 2027. With the addition of the development flows the junction will continue to operate within its actual capacity on all arms apart from on the A58 Bolton Road (south) arm in the weekday PM period. However, with the addition of the proposed development traffic the increase in the average journey time on this arm will be minimal with increases of 36 seconds. The increases in delay on all other arms are considerably lower.

The 2032 assessment has been undertaken with an assumption that the pedestrian stage on the A58 Bolton Road is called every third cycle, which is deemed realistic for this location during peak periods. This assessment demonstrates that the junction is forecast to operate within its actual capacity. With the addition of the development traffic the junction is forecast to operate within capacity and within minimal increases in average delay.

A573 Warrington Road/A58 Lily Lane/B5237 Bickershaw Lane

The proposed development is forecast to have minimal impact on the operation of the junction with only 9 two-way movements forecast to travel this way on the local highway network.

A49 Warrington Road/A58 Bolton Road/Princess Road/A58 Gerard Street

The junction is forecast to operate within its actual capacity in 2027. With the addition of the development traffic, the junction is forecast to operate within capacity with minimal forecast increases in average delay.

The junction is forecast to operate within its actual capacity in the 2032. With the addition of the development flows there is forecast to be minimal increases in average delay in both peak periods.

A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street

The junction is forecast to operate within its actual capacity in 2027, with some arms close to their actual capacity. With the addition of the development traffic, the Warrington Road arm of the junction is forecast to exceed operational capacity. The performance of the junction is forecast to worsen in 2032.

There is scope to improve the performance of the junction by updating the SCOOT operation of the junction to allow for extra traffic queues. This includes moving the SCOOT loops further back from the stop lines and SCOOT re-validation. This can be secured via planning condition and delivered by Transport for Greater Manchester, who maintain and operate associated traffic control equipment for the council.

A49 Warrington Road/M6 Junction 25 Slip Roads/A49 Wigan Road

This junction, known locally as the Landgate Gyratory, will be signalised and a new arm provided as part of the consented M6 J25 planning application. The junction is forecast to operate within its actual capacity in 2027. With the addition of the proposed development flows there are forecast to be minimal increases in the average delay in both peak periods.

In 2032, the junction is forecast to continue to operate within its actual capacity. With the addition of the proposed development flows there are forecast to be minimal increases in the average delay in both peak periods.

A49 Wigan Road/B5207 Bryn Road/Downall Green Road

The junction is forecast to operate over capacity in 2027 and 2032 both with and without the development in place. Performance of the junction will worsen with the traffic generated by the proposed development.

The updated Transport Assessment provided by the applicant states that substantial levels of trips will be diverted from the junction upon completion of the link road conditioned as part of the permitted Landgate planning application. The Landgate development is only the first component of the council's long-term aspiration for new road infrastructure connecting the A58 and A49, in order to bypass of A49 / Bryn Road / Downhall Green Road junction and sections of Ashton town centre. To complete the bypass a vehicular connection from the proposed development to the adjacent land to the east that was granted planning permission in 2023 is required.

The importance of this connection was referenced in the Appeal Decision for land to the immediate east with the Inspector including a condition to ensure any future reserved matters application in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which should include a connection between the development and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point. It is therefore imperative that the proposed development includes a commitment to deliver this connection.

A58 Liverpool Road/M6 Junction 24 Off-slip

The junction is forecast to operate within its theoretical capacity both with and without the development in place in 2027. The traffic generated by the development will only have minimal increases in average delay in both peak periods.

The junction is forecast to continue to operate within its theoretical capacity in in 2032 both with and without the development in place. With the addition of the proposed development flows there are forecast to be minimal increases in average delay in both peak periods.

Road Safety

A total of five accidents occurred in the vicinity of the development during the 5-year study period, with one classified as a 'serious' injury and four classified as 'slight' injuries.

Given the severity of the accidents that have occurred over the 5-year study period, the existing accident record does not represent a material concern in the context of the proposed development.

Travel Plan

The proposed Framework Travel Plan is acceptable. For the supervision element of the Travel Plan the council charges 4,079.84. This will be secured via s106 agreement.

Summary

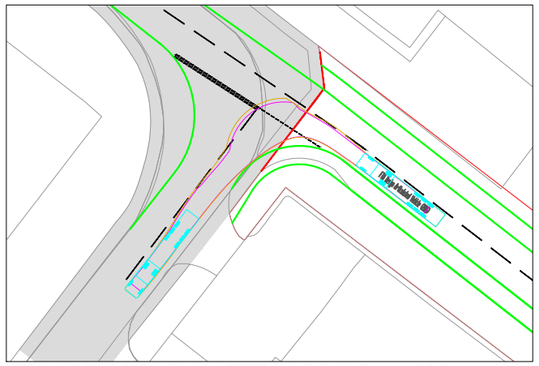
In view of the above, there are outstanding issues queries and issues relating to car parking, access to bus services via Woods Lane, a vehicular connection to land to the immediate east and a commitment to deliver improvements at the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction that must be addressed.

DRAWINGS

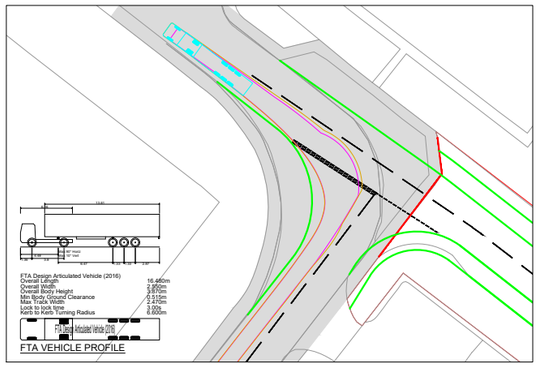
NORTH SOUTH AERIAL VIEW

ADOPTED HIGHWAY PLAN

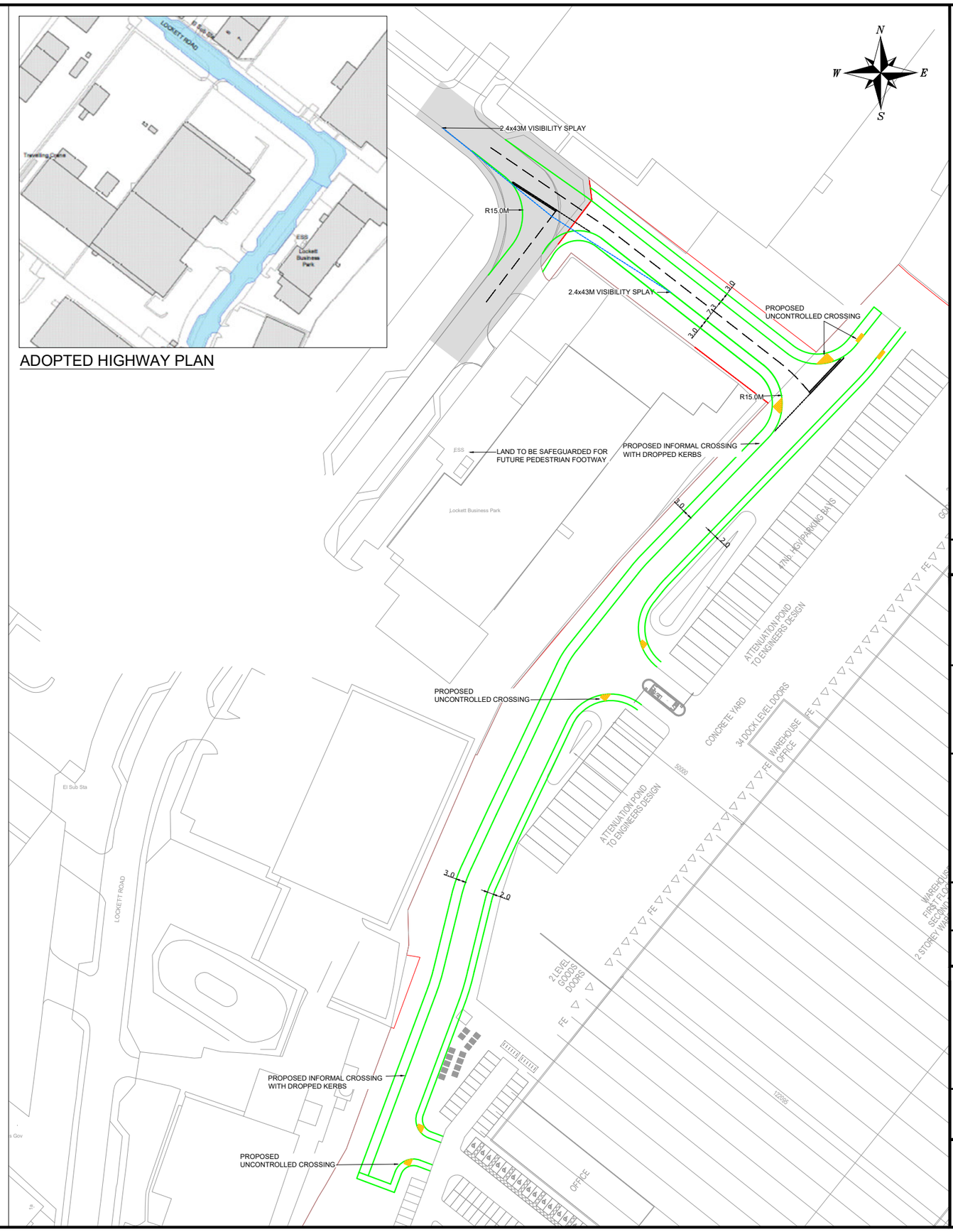
LAND REGISTRY BOUNDARIES



FTA ARTIC TRACK - LEFT IN SCALE: 1:1000



FTA ARTIC TRACK - LEFT OUT SCALE: 1:1000

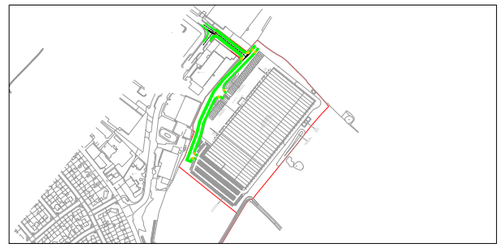


NOTES

THIS IS NOT A CONSTRUCTION DRAWING AND IS FOR INDICATIVE PURPOSES ONLY.
THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha



SITE LAYOUT NTS

REV	DETAILS	DRAWN	CHECKED	DATE
J	MINOR AMENDMENTS	LB	TSB	AUG 24
I	MINOR AMENDMENTS	LB	TSB	AUG 24
H	MINOR AMENDMENTS	LB	TSB	AUG 24
G	MINOR AMENDMENTS	LB	TSB	AUG 24
F	UNCONTROLLED CROSSINGS SHOWN	LB	TSB	AUG 24
E	SITE LAYOUT AMENDED	LB	TSB	MAR 24
D	BOUNDARY REMOVED	LB	TSB	FEB 24
C	LAND REGISTRY ADDED	LB	TSB	FEB 24
B	SITE LAYOUT AMENDED	GM	TSB	FEB 23
A	3RD PARTY LAND SHOWN	LB	MC	OCT 22

CLIENT:

CADDICK

PROJECT:

ASHTON PARK, ASHTON IN MAKERFIELD

DRAWING TITLE:

PROPOSED SITE ACCESS PLAN

SCALES:

1:1000 @ A3

DRAWN:	CHECKED:	DATE:
GM	TSB	FEB 24

Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY

Email: info@croftts.co.uk
Tel: 0161 837 7380
Web: www.eddisons.com/services/transport-planning

DRAWING NUMBER: 3578-F01

REVISION: J

Eddisons | Incorporating Croft

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Form P2A
Town and Country Planning Act 1990

Wigan Council

Outline Planning Permission

Name and Address of Applicant

[redacted]

Name and Address of Agent (if any)

[redacted]

Part I – Particulars of Application

Date of Application: 21st February 2023

Application No: A/23/95155/OUTMES

Particulars and Location of Development:

Outline planning application on land to the South of the guided busway ('Southern Parcel') for a multi-phased, severable residential development (Use Class C3), with all matters reserved apart from the main access point into the site from Bridgewater Road requiring the demolition of 15 Bridgewater Road, land to facilitate the expansion of St Johns Primary School, new parkland and wetland, public open space, children's play space, and provision of new and enhancements to existing footpaths and cycleways and, where applicable, the re-routing, upgrading and extension of the Public Rights of Way network

Land North Of Mosley Common South Of The Guided Busway Worsley

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Part II - Particulars of Decision.

Wigan Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 2004 that permission has been granted for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted.

Consent is granted subject to the following conditions:

1. No phase of the development hereby approved in outline, the extent of which is defined on Plan Ref: Ref: 01941_S_08 Rev P2 (hereafter referred to as the "outline permission") shall be begun until details of all of the reserved matters for that specific phase (appearance, landscaping, layout, and scale) have been submitted to, and approved in writing by, the Local Planning Authority.

Duplicate

2. Applications for the approval of reserved matters for all phases of the outline permission must be made no later than the expiration of eight years beginning with the date of this permission; and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. Each phase of the outline permission shall thereafter be implemented in accordance with the approved reserved matters in respect of that phase.

3. The outline development hereby approved, and all subsequent reserved matters applications for any phase of the development shall accord with the following approved plans and documents:

   - Location Plan (Southern Application Boundary - Outline) Ref: 01941_S_08 Rev P2
   - Design Code Ref: 10941 Final P2, dated 06.11.2023
   - Parameters Plan (South) Access and Movement Ref: 01941_PP_S01 Rev P2
   - Parameter Plan (South) Land Use and Green Infrastructure Ref: 01941_PP_S02 Rev P2
   - Parameter Plan Building Heights (South) Ref: 01941_PP_S03 Rev P2
   - Proposed Access onto Bridgewater Road Ref: M21015-A-052

4. No more than 244 dwellings shall be constructed as part of the development hereby approved.

5. Prior to the commencement of any phase of development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for each phase of the development. The scheme shall include as a minimum the following:

   - Methods to be employed to control and monitor noise, dust and vibration impacts;
   - Schedule of construction works, dates and hours;
   - Traffic Routes;
   - Interface between on site and off-road movements and pedestrians;
   - Measures to control disruption;
   - Health & Safety requirements;
   - Monitoring and Management;
   - Construction Heavy Goods Vehicle routing;
   - Site cleaning measures for vehicles;
   - Management plan to control surface water runoff during construction phase and measures to mitigate the risk from contaminated surface runoff;
   - On-site staff and contractor parking clear of the public highway
   - On-site materials storage area
   - A waste strategy for managing and disposing of waste generated during construction.

   The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority prior to the commencement of construction works and maintained for the duration of the construction works.

Duplicate

6. Prior to the commencement of any phase of development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, a method statement for the construction of the parking area, construction of the foundations close to the trees' RPA and locations of all services which must not encroach into the no cellular parking area for that phase shall be submitted to and approved in writing by the Local Planning Authority. All existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

7. Piling or other foundation designs using penetrative methods for any part of the development hereby approved, shall not be carried out other than with the express written consent of the Local Planning Authority, where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

8. No surface water will be permitted to drain directly or indirectly into the public sewer, unless agreed in writing with the Local Planning Authority.

9. Prior to the commencement of any phase of the development hereby approved, a Construction Training and Employment Management Plan (CT&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP will aim to promote training and employment opportunities for local people and include:

   - Measures to ensure the owner and contractors work directly with local employment and training agencies;
   - Targets for employing local labour;
   - Targets for work experience opportunities;
   - Measures to provide training opportunities in respect of any new jobs created; and
   - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

   The development for that phase hereby approved shall be carried out in accordance with the agreed CT&EMP and any amendments to the CT&EMP shall be agreed in writing with the Local Planning Authority.

10. Prior to the commencement of above ground works for any phase of development, full details of both hard and soft landscape works, with associated implementation plan, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

    proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure,

Duplicate

schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

11. Prior to first occupation of for any phase of development hereby approved, a sustainable drainage management and maintenance plan for that phase of the development, for the lifetime of that phase of the development shall be submitted to and agreed in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

    i. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and

    ii. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

    The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

12. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

13. Prior to the commencement of above groundworks for any phase of development, a lighting design strategy for biodiversity for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

    a) identify those areas/features on site that are particularly sensitive for bats that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

    b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory

    or having access to their breeding sites and resting places.

    All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

14. Prior to the commencement of any subsequent phase of development

Duplicate

hereby approved as part of the outline permission, a ground investigation and remediation strategy to deal with the risks associated with contamination of the site in respect of the particular phase of development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

i. Prior to the development commencing:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

Post demolition but prior to any further development commencing:

ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off- site.

iii. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required, including a Gas Protection Design Report if gas protection measures are required, and how they are to be undertaken.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Prior to the occupation of the development:

v. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

15. An 8m wide buffer zone from Honksford Brook, measured from the top of the riverbank, shall be maintained as part of the lifetime of the development. An adequate buffer zone scheme demonstrating it will be free from built development including lighting, domestic gardens and formal landscaping must be submitted to, and approved in writing by, the Local Planning Authority.

16. Prior to the commencement of any above ground works for each phase of the development hereby approved, a scheme for public way-finding signage within the development shall be submitted to the Local Planning Authority for approval. The scheme shall include location,

Duplicate

materials, scale and appearance of the way-finding signs. The scheme shall be fully implemented prior to occupation of any of the buildings hereby approved.

17. Prior to the commencement of any above ground works for each phase of the development hereby approved, a detailed lighting strategy shall be submitted to the Local Planning Authority for approval. The strategy shall include details of the location, height, design and appearance, specification of the lighting columns and lamp heads, levels of luminance and a schedule for the implementation of the lighting. The development shall be carried out in accordance with the approved scheme.

18. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off-site highway works for improvements towards Ellenbrook Road/ Newearth Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense. The development shall be carried out in accordance with the approved details and implemented prior to the occupation of the final dwelling, hereby approved, or as otherwise agreed in writing with the Local Planning Authority.

19. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works proposed, including or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off- site highway works for improvements towards A580/Walkden Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense and implemented prior to the occupation of the final dwelling, hereby approved, or otherwise agreed in writing with the Local Planning Authority.

20. No part of the development hereby approved shall be occupied until the visibility splays defined on Drawing No. M21015-A-052 are cleared of all obstructions to visibility to footway/verge level/all obstructions to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

21. Prior to first occupation of each phase of the development hereby approved, full details of the maintenance and management arrangements for the on-site Open Space and Play Equipment, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out and maintained in accordance with the approved details at all times thereafter.

22. Prior to the demolition of any building(s) on the site associated with any phases, a demolition strategy for each respective building(s) to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include details for the methods to be employed to monitor and control impacts arising during these works, including demolition traffic, noise, dust and vibration, and shall indicate

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how these sites shall be left and secured should an interim period occur before the construction of the respective development phase is undertaken in these locations. The demolition of the buildings and the retention of the sites, where appropriate, shall be carried out in full accordance with the approved strategies at all times.

23. No dwelling or building within any phase of the outline permission shall be first occupied until its associated car parking has been constructed, drained, surfaced and is available for use in accordance with details which shall be first submitted to, and approved in writing by, the Local Planning Authority. All approved parking areas shall thereafter be retained and not used for any other purpose.

24. As part of any application for Reserved Matters approval for any phase of the development hereby approved in outline, the following details shall be submitted in respect of that phase:

a) Full site survey showing existing and proposed levels of the buildings, roads, footpaths and other landscaped areas
b) Finished floor levels of all buildings (defined relative to datum or datum points)
c) Details of the particulars or samples of the materials to be used for the external walls and roof
d) All boundary treatments to be carried out on all the perimeter boundaries on that phase and details of any boundary enclosures to be erected or grown within that phase
e) A scheme (including a programme for its implementation) for the provision of open space and children's play facilities within and/or for that phase
f) Scale, type and design of the open space and children's play facilities to be provided within and/or for that phase)
g) Crime impact statement
h) Updated Phasing Plan and Schedule. The Phasing Plan shall include details of the maximum number of dwellings, and any other development, to be implemented within each phase of the development. The schedule shall include as a minimum a timetable for implementation and indication of when development will come forward the quantum of development and mix of uses for each phase
i) Design Code compliance statement to ensure quality and compliance with the approved Design Code and Parameters Plans.
j) Updated Ecology surveys where necessary, and any subsequent monitoring and mitigation required for each phase.
k) Updated public right of way plan and strategy
l) Updated and accurate tree survey
m) scheme for the provision of electric vehicle charging points for each dwelling
n) cycle and refuse storage

No phase of the development hereby approved, shall be occupied until the approved details set out above have been carried out in respect of that phase. Thereafter, the approved details for each phase shall be retained for the lifetime of that phase.

25. As part of any subsequent application(s) for reserved matters approval, in respect of layout, scale or landscaping a hard and soft landscaping scheme, with an associated implementation plan shall be submitted to the Local Planning Authority for approval. The development shall accord with the principles set out in Landscape Design Code (dated February

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2023, R001v1 EN). Such a scheme shall include:- proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure, schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled as part of that particular phase. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

26. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, comprising of over 150 dwellings, an updated Health Impact Assessment shall be submitted for approval.

27. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, full details of the foul and surface water drainage scheme for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The foul and surface water drainage schemes must include the following details as a minimum:

    i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    ii. Should infiltration be discounted, surface water will drain to watercourse at an agreed controlled rate;
    iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    iv. An overland flow and exceedance plan;
    v. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;

    vi. Any drainage infrastructure connections (foul water) including the volume of flows between phases / development parcels;
    vii. Any drainage infrastructure connections (surface water) including the volume of flows between phases / development parcels;
    viii. Identify any parts of the site where foul pumping is necessary including the timing arrangements, storage requirements and rate of discharge for any pumped foul discharge. Thereafter, the strategy shall minimise the number of pumping stations;
    ix. Evidence of that any foul and surface water drainage systems mitigate the risk of pollution from controlled waters for the lifetime of the development; and
    x. To ensure the development is flood resilient.

    Foul and surface water shall drain on separate systems. The details for each phase or part phase must be consistent with the updated site wide Foul and Surface Water Drainage Strategy submitted and approved pursuant to the above. The approved schemes shall also be in accordance with the Non- Statutory Technical Standards for Sustainable Drainage

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Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted.

28. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, an assessment of the nature and extent of noise affecting the residential development site. The assessment shall be carried out in accordance with a methodology which has been previously agreed in writing with the Local Planning Authority and shall identify mitigation measures required to protect the development. The approved mitigation measures shall be implemented in full before first occupation of the dwellings and shall be retained thereafter.

29. Prior to commencement of any phase of the development hereby approved, a scheme detailing how each phase of the development can achieve zero carbon, in terms of construction (from 2028) and subsequent operation shall be submitted to the Local Planning Authority for approval. This shall include Low Carbon technologies which have been incorporated into the design and construction of that building and for the purposes of this condition the Low Carbon technologies are considered to comprise GSHP; ASHP; Photovoltaics; Battery Storage and Solar Thermal panels. The development shall be carried out in full accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

30. Prior to the commencement of works of any phase hereby approved,, the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

    i. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
        - an archaeological evaluation through trial trenching;
        - dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).

    ii. A programme for post-investigation assessment to include:
        - production of a final report on the significance of the below-ground archaeological interest.

    iii. Deposition of the final report with the Greater Manchester Historic Environment Record.

    iv. Dissemination of the results of the archaeological investigations commensurate with their significance, which may include publication and the installation of an information panel.

    v. Provision for archive deposition of the report and records of the site investigation.

    vi. Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

31. Prior to the commencement of each phase of the development hereby approved, a Construction Environment Management Plan (CEMP) and

Duplicate

Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure a 10% net gain in biodiversity across the development site as a whole, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP and HMP document the following information shall be provided:

i. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
ii. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation;
iii. Details of reasonable avoidance measures to be implemented during groundworks to avoid any possible harm to amphibians and small mammals;
iv. Measures to prevent water pollution, and measures to mitigate potential noise and visual disturbance to the nearby landscape;
v. Details of both species composition and abundance where planting is to occur;
vi. Proposed management prescriptions for all habitats for a period of no less than 30 years;
vii. Assurances of achievability;
viii. Timetable of delivery for all new and enhanced habitats; and
ix. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed- back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

32. Prior to the commencement of each phase of the development hereby approved, a scheme detailing on-site and if required off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall net gain in biodiversity, and shall include:

i. Details of the offset requirements of the development, in accordance with a recognised biodiversity offsetting metric;
ii. The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
iii. The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
iv. A management and monitoring plan, to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:

- Description of all habitats to be created/enhanced with the scheme including expected management condition and total area;
- Review of the ecological constraints;
- Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including

Duplicate

extent and location of proposed works;
- Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
- Identification of the persons responsible for implementing the works;
- A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
- A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

33. Prior to the commencement of any subsequent phase, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units has been submitted to and agreed in writing by the Local Planning Authority where necessary. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

34. Prior to the commencement of any phase of development hereby approved, a detailed flood risk assessment which confirms the fluvial flood risk extents associated with Honksford Brook for the 3.33% (Flood Zone 3b), 1% (Flood Zone 3a), 1% + climate change allowance and the 0.1% (Flood Zone 2) AEP events. The detailed flood risk assessment must adequately demonstrate the proposed developments will be flood resilient and a detailed flood risk assessment or scheme must adequately demonstrate the functional floodplain will be safeguarded. The detailed flood risk assessment shall be fully implemented and subsequently maintained, in accordance with the detailed flood risk assessment /scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

35. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

36. Prior to the first occupation of any future phases of development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways.

    The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

a) the identification of targets for trip reduction and modal shift;
b) the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
c) further details for the development and implementation of the

Public Site

proposed guided busway stop and travel hub;

d) the timetable / phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
e) the mechanisms for monitoring and review;
f) the mechanisms for reporting;
g) the remedial measures to be applied in the event that targets are not met;
h) the mechanisms to secure variations to the Travel Plan following monitoring and reviews. Management of the Travel Plan should continue throughout the lifetime of the development:
a) The appointment of a Travel Plan Co-ordinator;
b) An updated Travel Plan prior to first occupation of any future phases of development, associated with the outline permission;
c) An annual survey of residents to ensure that measures are targeted and are appropriate for a period no shorter than five years after full build-out.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain for a period no shorter than five years after full build-out, unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with National Highways (or any subsequent body).

37. Development shall not commence on any part of the application site that is not already bound by the agreement dated 26th September 2024 entered into under Section 106 of the Town and Country Planning Act 1990 in respect of this planning permission unless all proprietors of any freehold interest, leasehold interest and financial charge in respect of those respective parts of the site have entered into a confirmatory deed under Section 106 of that Act so as to bind such interests with and make those interests subject to the planning obligations in the Section 106 Agreement relating to this planning permission

The reasons for the conditions are:

1. Part of the application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

3. For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

4. For the avoidance of doubt, to ensure a satisfactory standard of development and restriction on the quantum of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

5. Prior approval of such details is necessary since they are fundamental to

Duplicate

the initial site preparation works and Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

6. To ensure that construction materials, equipment and associated structures are not sited where they will cause detriment to the amenity of the area, having regard to Policies CP7 and CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

7. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

8. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

9. To ensure that the proposal supports training and employment opportunities, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

10. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

11. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

12. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework

13. To ensure there is not harm caused to protected species in accordance with Wigan Local Plan Core Strategy policy CP12 and National Planning Policy Framework.

14. Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

15. To ensure the site is satisfactorily drained, to avoid contamination of the surface water system, to reduce the impact of flooding to the proposed development and elsewhere, to ensure the protection and enhancement of habitat, features and species of ecological interest, to ensure that the impacts of the development on biodiversity are adequately mitigated and to help to assimilate the proposed development into its surroundings, having regard to Policies CP8, CP9, CP10, CP12, CP16 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

16. To ensure a high-quality attractive signage and effective directional signage for visitors to the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy

Duplicate

Framework.

17. To ensure a safe and high-quality lighting scheme for the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy Framework.

18. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

19. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

20. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

21. To ensure the proposal provides on-site amenity space for residents, having regard to Policy CP4 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

22. To safeguard the amenities of the adjoining premises and the area generally, to provide an acceptable level of mitigation for air quality during the demolition phases and to ensure the demolition sites are maintained in a safe and appropriate manner should the development in these locations not follow on immediately from the demolition of the building(s), having regard to Policies SD1, CP1, CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

23. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

24. For the avoidance of doubt and to ensure satisfactory standards of appearance, layout and scale are achieved in accordance with Wigan Local Plan Core Strategy Policies CP10, CP11 and CP17, saved UDP Policy EV4A and National Planning Policy Framework.

25. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

26. To ensure compliance with the Health for All SPD and National Planning Policy Framework.

27. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

28. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

29. To provide opportunities to maximise the sustainability of the development and to contribute to air quality improvements, having regard to Policies SD1, CP1, CP13 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary

Duplicate

Development Plan and National Planning Policy Framework.

30. The Local Planning Authority considers the site is of archaeological interest and wishes to secure the satisfactory removal of the archaeological remains and/or recording of the subsequent findings, as required by Policy CP11 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

31. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

32. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

33. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

34. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

35. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

36. To reduce the need to travel to and from the site by private vehicle and in order to promote sustainable modes of travel to and from the site having regard to Policy CP7 of the Wigan Local Plan Core Strategy and the Council's Travel Plans Supplementary Planning Document and National Planning Policy Framework.

37. To ensure a comprehensive form of development, having regard to Places For Everyone Policy JPA32 and the National Planning Policy Framework

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to identify solutions to ensure the proposal comprises sustainable development in accordance with the NPPF and complies with the development plan.

Informatives

1. Attention is drawn to the following information from the Local Authority. It is relevant to all proposals involving new build development.

   The proposed development lies within a coal mining area. In the circumstances when carrying out of their proposals applicants should take account of any coal mining hazards relating to stability, health and safety or adverse environmental impacts. This includes considering the potential for existing property and new development to be affected by mine gas. Such hazards may currently exist, be caused as a result of the

Duplicate

proposed development, or occur at some time in the future. Developers must also seek permission from the Coal Authority before undertaking any operations that involve entry into any coal seams, coal mine workings or coal mine entries (shafts and adits) and the implementation of site investigations or other works. Failure to obtain such authority is trespass with the potential for court action. Developers must obtain property specific summary information from the Coal Authority on any past, current and proposed surface and underground coal mining activity and other ground stability information that could affect the development. Further information can be found at www.coal.gov.uk/services/planning/index.cfm.
The Coal Authority's Property Search Service can be contacted on 0845 762 6848 or at www.groundstability.com.

2. You are advised that this development may be subject to the requirements of the Building Regulations 2000. In this case you will need to meet the specific requirements of Approved Document M (2004 Edition) "Access to and use of buildings".

   The Building Regulations application must include an Access Statement showing your commitment to inclusive design at an early stage.
   For further design guidance refer to British Standard 8300:2001 "Design of buildings and their approaches to meet the needs of disabled people".
   You are also advised that the Disability Discrimination Act 1995 requires service providers to take reasonable steps to overcome any physical barriers which continue to make their services impossible or unreasonably difficult for disabled people to use. For further information on this please contact the Disability Rights Commission at: www.drc-gb.org

3. The applicant is advised that the grant of planning permission does not confer any right to enter onto or to carry out work(s) on, over or under land over which they do not have control, or have the landowners consent.

4. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, with the survey and written confirmation of such having been agreed in writing by the Local Planning Authority prior to the works commencing.

5. Any works on the highway must only be carried out with the express consent and approval of the Highway Authority. This includes the installation of dropped kerbs, any new vehicular access or alteration to an existing vehicular access. All redundant vehicular accesses adjacent to the site must be removed and appropriate footway construction reinstated. All changes to the highway layout that alter the layout, function or nature of the highway may require a Safety Audit or Safety Check. It is the developer's responsibility to check that these requirements are met.

6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

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www.gov.uk/government/organisations/the-coal-authority.

7. For noise and vibration please refer to BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014, Code of practice for noise and vibration control on construction and open sites, Part 1 Noise and Part 2 Vibration and other relevant legislation, standards and guidance. Our standard advised construction hours are Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00, no work on Sunday and public/bank holidays. CEMP controls and monitoring should include full and appropriate consideration of any identified land contamination issues. Please refer to Wigan Council's Guidance Note 'Construction Environmental Management Plans', August 2019 - https://www.wigan.gov.uk/Docs/PDF/Resident/Planning-and-Building-Control/Planning-guidance/Construction-Environmental-Management-Plans-guidance-note.pdf

8. The use of vibro/stone columns may not be suitable above grouted mine workings as they may provide a seepage pathway for ground gas (see Chapter 4.5.5, NHBC Standards). If the use of vibro/stone columns is proposed above grouted mine workings, this will need to be fully considered and detailed within the assessment and Gas Protection Design Report.

9. All site users should be made aware of any remedial measures incorporated within the development in order to break the pathway between any residual contaminants, including any ground gas, and the importance thereof. Remedial measures may include, but not limited to, clean capping layers to gardens, gas protection measures and water supply barrier pipe. As with all remedial measures, the integrity should be maintained and appropriate precautions taken should any future developments be undertaken at the site, i.e. extensions, conservatories, garages, landscaping and utilities etc., including the appropriate handling and disposal of any contaminated arisings generated by excavations.

   All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

10. For gas protection measures, the detailed design and specification of the protection measures should also be recorded in a design report (this can be appended to the remediation strategy), with the gas protection design, product specifications and verification plan being clearly defined and justified, as detailed within BS 8485:2015+A1:2019 and CIRIA C735.

11. Wigan Council has adopted the latest version of the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) Guidance 'Verification

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requirements for cover systems' (version 4.1, June 2021), which will need to be considered as part of any remediation strategy

12. It is advised that the environmental consultant and landscape architect work together and adopt a holistic approach to a clean cover system (if required) and landscape design in accordance with the Council's Landscape Design SPD.

13. The applicant is requested to note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property, i.e. coal seams and associated workings. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

14. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of Honksford Brook which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

    https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

    If an outfall into Honksford will be required as part of the development, a Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. The Environment Agency has a preference for structures set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course

15. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. However, this permission will not require the approval of a biodiversity gain plan before development is begun because the application was made before 12 February 2024.

16. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project

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- some naturally occurring clean material can be transferred directly between sites

  Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

17. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

18. It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

Date of decision
2nd October 2024

Signed
on behalf of the Council

NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Department for Communities and Local Government in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Department for Communities and Local Government has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Department for Communities and Local Government is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop the land is refused or granted subject to conditions, whether by the local planning authority or by the Department for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest

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in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Department for Communities and Local Government on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
(a) The statutory requirements are those set out in section 78 of the Town and Country Planning Act 1990, namely sections 70, 71 and 72 of the Act.

IMPORTANT NOTICE

Discharging planning conditions - Information is available on our website to explain the process this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Apply.aspx

Street naming and numbering is a legal function of the council to allocate numbers and road names to new developments and conversions
Information is available on our website to explain the process for requesting postal addresses and street names this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Street-naming/index.aspx

Should your planning permission relate to residential development, on completion of the above street naming and numbering process waste and recycling bins for the new properties can be ordered by following the links below:

https://www.wigan.gov.uk/Docs/PDF/Resident/Bins-Recycling/Developers-Guide-Bulk-Bin-Deliveries.pdf

https://developerbins.wigan.gov.uk

Please be aware that you will need a street name and numbering reference number to complete the waste and recycling bin order process.

This is NOT a consent under the Building Regulations.

These documents grant approval of your application submitted under the Town and Country Planning Act 1990 only and do not imply the Council's approval to any other consents which may be required. It is your responsibility to obtain any such other consents.

Before commencing work you should ensure that approval is obtained under the Building Regulations 2000 and/or any other Act.

Please note that different time limits for starting development usually apply to Planning Permission and approval under the Building Regulations. If Building Regulation works are not commenced within 3 years from the date of deposit, a

Duplicate

new application must be made.

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From: [redacted]
Subject: RE: Ashton Park
Date: 03 September 2024 12:57:32
Attachments: ~WRD0003.jpg
image001.png

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Hi [redacted]

As agreed, the next steps are:

- An Addendum to the Transport Assessment is currently being prepared and will be issued directly to [redacted] and copied to you – either towards the end of this week, or early next week. The Addendum will not include provision for a link road to the adjacent Glenbrook site – as discussed at the pre-application meeting, it has been demonstrated that both the Glenbrook scheme and Ashton Park are capable of being accessed independently and there is no planning policy requirement for the provision of a link road.
- Consultation responses from EHO (Noise) and the Coal Board remain outstanding – you will chase those up asap.
- There has not been any objections to the planning application and, in those circumstances, it will be determined under delegated powers once the highways matters have been resolved; in the meantime..
- You will prepare draft conditions and HoTs for the S106 with the aim of issuing those to me / [redacted] for review early w/c 16th September.

I trust that this addresses all of the points we discussed.

Kind regards

[redacted]

From: [redacted]
Sent: 03 September 2024 10:21
To: [redacted]
Subject: RE: Ashton Park

Hi [redacted]

[redacted] your call, my battery went and phone is charging.

I have meetings up to around 11.45, and will be able to call around 12 if that is ok?

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
01942 489138
www.wigan.gov.uk

www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: Tuesday, September 3, 2024 10:18 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Ashton Park
Importance: High

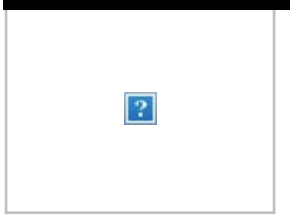
Think Before you Click

Hi [redacted]
[redacted] you had a good break.
I have just called and left a voicemail as I'd like to catch up with you on a couple of matters before I go on leave tomorrow (until 16th September).
I'd be grateful if you could find the time to give me a brief call today.
Kind regards
[redacted]

From: [redacted]
Sent: 14 August 2024 14:49
To: [redacted]
Subject: Ashton Park
Dear [redacted]
Please find attached a short technical note prepared by SLR consulting in response to the Environment Agency's comments on air quality relating to the above application. While the EA does not raise any objection to the proposals, we felt it would be beneficial to provide this note and make a minor amendment to the Framework Construction Environmental Management Plan that will ensure their comments relating to construction phase emissions can be secured by planning condition (additional text added to Section 7 of the document).
I trust that this is of assistance.
Have you had any success in chasing up consultation responses from your EHO and the Coal Board – with the exception of the LHA, whom Eddisons are liaising with direct, I think that those are the only outstanding responses?
Please don't hesitate to contact me if you have any queries or wish to discuss
Kind regards
[redacted]
[redacted]
Director

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]



[redacted]

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From: [redacted] application ref: A/24/97381/OUTMAJ
Date: 10 December 2024 11:05:46
Attachments: ~WRD2489.jpg
image001.png
Site acess detail 3578-F05 Rev A.pdf

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Hi [redacted]

Here you go

[redacted]

[redacted]
Sent: 10 December 2024 11:03
To: [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ

[redacted]

Thank you for the email.

Just in terms of the plans detailed in the condition, can you provide the following plan;

- Site Access - Priority Junction Drawing Ref: 2578-F05/Rev A

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: Sam Ryan <sam.ryan@ryanandmay.co.uk>
Sent: 10 December 2024 08:19
To: Jones, Michael <Michael.Jones@wigan.gov.uk>
Subject: FW: Ashton Park - application ref: A/24/97381/OUTMAJ

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Hi [redacted]

Email containing draft conditions re-sent as requested.

Regards

[redacted]

[redacted]
Sent: 02 December 2024 15:16
To: [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ

Hi [redacted]

I have just called and left a voicemail – I suspect that you may still be unwell and, if that is the case, wish you a speedy recovery.

In order to assist in moving matters forward, we have prepared a draft set of planning conditions for your consideration. It would be helpful if we could also discuss those when we speak.

I look forward to hearing from you as soon as possible.

Kind regards

[redacted]

From: [redacted]
Sent: 27 November 2024 12:44
To: [redacted]
Cc: [redacted]
Subject: RE: Ashton Park - application ref: A/24/97381/OUTMAJ

Hi [redacted]

I'm checking to see whether you're in a position to respond to the email that I sent last week – see below?

I have also left voicemails and would be grateful if you could get back to me as soon as possible.

Kind regards

[redacted]

From: [redacted]
[redacted] 2024 11:48
[redacted]
Cc: [redacted]
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ

Hi [redacted]

Further to our recent telephone call I am writing to update our understanding of matters relating to the recent consultation responses:

Highways

Phil Wooliscroft of Eddisons has spoken to [redacted] and, by reference to the latest consultation response from highways has agreed the following:

Matters that can be conditioned:

- The number of car parking spaces to be provided as part of the RM submission
- Improvements (SCOOT) to the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction
- Provision of a pedestrian access gate at the south-western corner of the site to the existing PRoW to Woods Lane

Link Road:

- The highways impact of the proposed development is agreed – impacts are not 'severe' and do not give rise to a reason for refusal
- The 'link road' is not necessary to make the development acceptable in highways terms

- The applicant is willing to safeguard the line of a future road that would provide a link to the adjacent development and to the phase 2 land to the west (this is shown on the illustrative masterplan); and ensure that there is pedestrian / cycle access between the developments.
- Highways officers would prefer to see a condition imposed that would require any reserved matters application submitted in respect of layout to be accompanied by a connectivity and implementation plan, including details of a connection between the development site and the remaining Primary Employment Area Land allocation. It is Eddison's view that this is not justified on highways grounds.

I attach a copy of the Technical Note prepared by Eddisons confirming their discussions with the highways officer.

As you and I discussed, it is clear that the only area of disagreement now existing between Eddisons and the highway authority is whether it is necessary to impose a condition relating to the link road (as per the final bullet point above). In addition to Eddison's technical reasons as summarised above, I reiterated that there is no planning justification for the provision of a link road – it is not required by any policies or development briefs that have been adopted by the council; our parameters plan (for which we seek approval) does not preclude a future link road coming forward and shows where a connection is possible. Notwithstanding, our position is that a condition is unnecessary, and the link road issue alone is not sufficient in the planning balance to refuse the application.

EHO Comments

The EHOs have provided comments on matters relating to noise and air quality. In each case, they do not raise any objections to the proposals subject to the imposition of various conditions. Our technical team has reviewed those suggested conditions and comment as follows:

<u>Noise</u>
CONG5—The limits proposed for both operational noise and fixed plant are the calculated impact rather than the proposed limit. This means the condition is more onerous than is necessary to protect amenity and the lower limits suggested by the EHO are unreasonable. A limit compared to the background noise levels referenced in the submitted Noise Assessment Report is more appropriate. The proposed amendments to the condition (reflecting the submitted Noise Report) are set out below:

> *Operational noise*
> *The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.*
>
> - *Daytime Monday to Sunday 07:00 to 23:00 36dBA 38dB(A)*
> - *Night time Monday to Sunday 23:00 to 07:00 29dBA 30 dB(A)*

Air Quality

Some of the suggested draft conditions are unnecessary given that this information has already been included as part of the application submission. Further, the suggested wording appears to be 'standard' and does not necessary reflect the application submission. See detailed comments below:

- In the suggested wording for Condition CONG1 (CEMP), under issue 'emissions to air', the wording suggests *"The scheme shall include details for the methods to be employed to control and monitor [...] dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2"*. The submitted AQA already provides this information and so this part of the condition is clearly unnecessary. Once the final CEMP is prepared, the stated measures could simply be represented as part of the eventual CEMP to be submitted. Alternatively, it may be more appropriate to amend the wording to state: *"dust mitigation measures as identified within SLR report reference: 402.065112.00001 rev 4.0 dated 28/03/2024 shall be implemented throughout the duration of the construction phase unless otherwise agreed in writing"*.

- Again, under the issue 'air quality', there's a recommended but un-named/numbered condition for which wording starts with reading *"In accordance with the Council's Development and Air Quality SPD (2021) [...]"* we would suggest that the front end of that condition is amended for consistency with the submitted AQA report as follows:

  > *In accordance with the Council's Development and Air Quality SPD (2021), no development shall be commenced until detail on the electric vehicle charging infrastructure is submitted to and approved in writing by the local planning authority. The scheme shall include the following measures:*

- There is no wording / detail provided under the CONG9 (Extraction of fumes and odours) or CONG11 (Extraction of dust) headings. It is unclear whether the EHO is seeking for such conditions to be included given that there are no source of fume / odours / dust on the site where any such conditions would typically relate. We would be grateful if you could clarify and, if necessary provide copies of CONG9 and CONG11 for our consideration.

BNG

We have given careful consideration to the points you have raised relating to BNG and, in particular, the challenges you perceive in imposing suitably worded planning conditions that ensure the BNG hierarchy is addressed at the RM stage and adequate provision is made for monitoring of any BNG that is provided within the application site.

In order to assist, TEP have produced a Technical Note to the BNG Report which confirms that:

- The approach adopted by TEP in preparing the BNG report follows an appropriate methodology that reflects the hierarchical approach
- GMEU are satisfied with that approach, and have confirmed that the final BNG assessment will be addressed at RM stage
- Appropriate planning conditions can be imposed to ensure that the BNG assessment at RM stage also follows the hierarchical approach to mitigation that:
    - Maximises on-site provision in the first instance;
    - Before considering other land within the applicant's ownership;
    - And then the purchase of off-site credits
- Wigan BC has recently approved an outline application (all matters except access reserved for future condition) with a range of conditions to secure 10% BNG in accordance with that approach – this includes a requirement for a 30-year management and monitoring plan. A copy of that decision notice is attached to TEP's Technical Note, which also includes a recommendation regarding an amendment to one of those conditions.

Subject to TEP's recommended amendments, the conditions that the Council has recently applied to other developments in the borough to secure BNG can clearly also be applied to this outline application.

I trust that the above is useful in summarising the current position and that you are now able to provide a draft list of conditions for our consideration and agreement – I note you indicated that you will require 5-working days to complete and so I look forward to receiving that list w/c 25th November. In the meantime, if you have any queries or wish to discuss further then please don't hesitate to contact me.

Kind regards

[redacted]

[redacted]
Director

[redacted]

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]

www.ryanandmay.co.uk

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>><<

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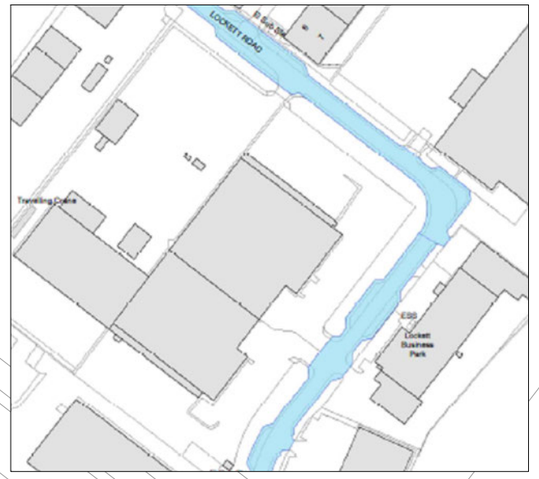
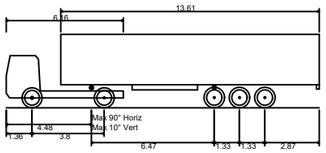
This footnote also confirms that this email has been swept for the presence of computer viruses.

NORTH SOUTH AERIAL VIEW



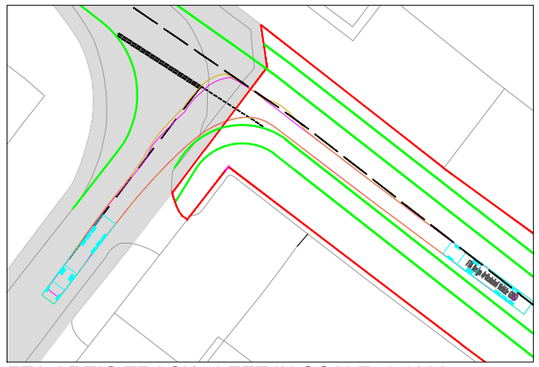
ADOPTED HIGHWAY PLAN



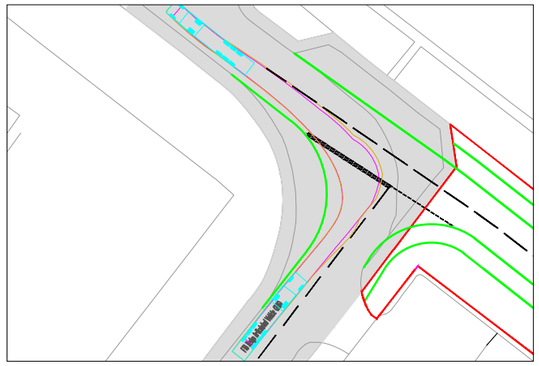
FTA Design Articulated Vehicle (2016)

Overall Length	16.480m
Overall Width	2.550m
Overall Body Height	3.870m
Min Body Ground Clearance	0.515m
Max Track Width	2.470m
Lock to lock time	3.00s
Kerb to Kerb Turning Radius	6.600m

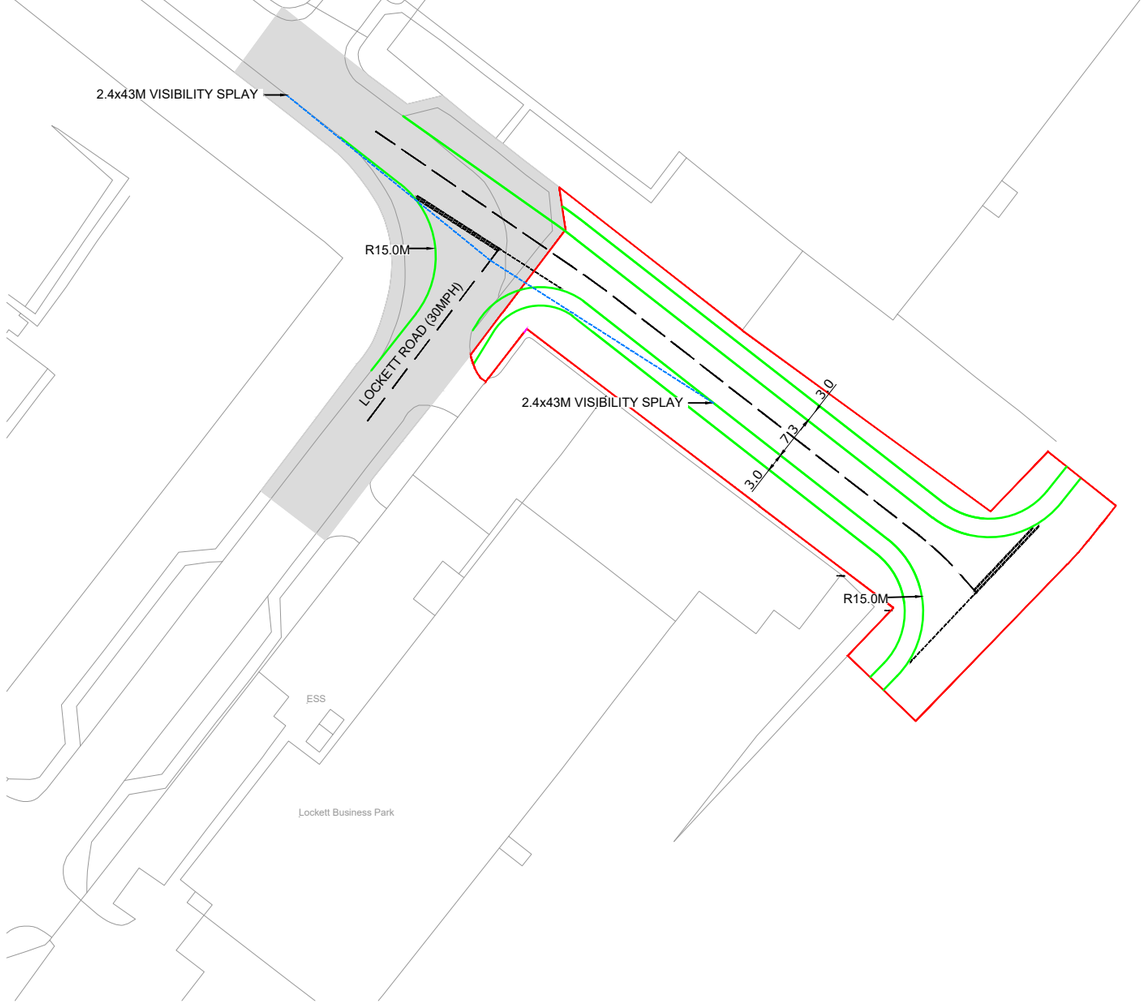
FTA VEHICLE PROFILE



FTA ARTIC TRACK - LEFT IN SCALE: 1:1000



FTA ARTIC TRACK - LEFT OUT SCALE: 1:1000



NOTES

THIS IS NOT A CONSTRUCTION DRAWING AND IS FOR INDICATIVE PURPOSES ONLY.
THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha

REV	DETAILS	DRAWN	CHECKED	DATE
A	SCALE BAR ADDED	SL	TB	JUN 2024

CLIENT:

CADDICK

PROJECT:

LOCKETT ROAD,
WIGAN

DRAWING TITLE:

PROPOSED SITE ACCESS PLAN

SCALES:

1:1000 @ A3

DRAWN:	CHECKED:	DATE:
GM	TSB	FEB 24

Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY

Email: info@croftts.co.uk
Tel: 0161 837 7380
Web: www.eddisons.com/services/transport-planning

DRAWING NUMBER: 3578-F05

REVISION: A

Eddisons | Incorporating Croft

Z:\projects\3578 Lockett Road, Wigan (Caddick)\CAD\Croft Drawings\3578-F05 Rev A.dwg

PROPOSED EMPLOYMENT DEVELOPMENT,
LOCKETT ROAD, ASHTON IN MAKERFIELD
NOTES OF MEETING BETWEEN CADDICK AND WIGAN COUNCIL – DECEMBER 2024

Date – 16th December 2024

Venue – on Teams

Attendees:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

RM started the meeting to GJ following the meeting between Caddick, Ryan & May, Eddisons and Wigan Council on 11th December 2024.

GJ explained that he had spoken to MJ regarding the meeting but not spoken to [redacted] at Wigan Highways.

GJ did not want to approve the submitted Parameters Plan and felt that approving the red edge and the vehicular access arrangements was sufficient and reiterated MJ's view that a connection to the adjacent Glenbrook site and that it should be provided at the south-eastern corner of the Caddick site, according to Condition 5 of the Glenbrook approval.

RM responded that our interpretation of the condition is that the connection between the Glenbrook and the Caddick site is in the same place as our access and potential link is shown, on our access plan and the parameters plan. This safeguards the potential link between the two sites in the future. The imposition of the link road connection towards the south-eastern corner of the Caddick site would add unnecessary cost to the scheme in the form of new road, loss of floor space and car parking areas.

GJ then said he didn't see why the Parameters Plan should be approved.

RM responded by saying that it should be approved because of its inclusion in the planning application submission and its for the local planning authority (ie Wigan) to say why it shouldn't be. This is also the first time that this had been raised (in the meeting of the 11th December) since the application was submitted in June. Caddick need the clarity for potential occupiers that the Parameters Plan provides.

GJ agreed to discuss this matter with David Proctor and revert back to Caddick this week.

RM then discussed the matter of Condition 5 from the Glenbrook appeal decision and the interpretation of where the link should be.

Red edge plans were shared on screen of both the Caddick and Glenbrook sites.

RM confirmed that the northern/north-western boundary is unequivocally the location where Caddick have shown their access arrangements and the potential link road connection. RM confirmed that Caddick would not concede on this matter given its clarity within the Glenbrook appeal decision.

GJ then confirmed that the condition is something Wigan Council would like but it wouldn't form a reason for refusal of the Caddick planning application as they could not. GJ did say that there were other matters outstanding.

RM asked what these were as he was of the view that nothing else was outstanding and that Caddick require a definitive position from Wigan Council in writing and what, if anything, they would refuse planning permission on.

GJ then raised the matter of BNG and a discussion followed.

GJ was of the view that Wigan Council could not accept a condition (if there was any possibility of 'Significant' BNG being delivered on site) and have had legal advice on this matter.

RM asked to see this and said the position was unreasonable given the current offered condition provides Wigan Council with a commitment for 10% BNG.

RM confirmed that if a Section 106 was required then it would take 3 to 4 months to agree.

GJ said that this could be sped up with the Council writing up that specific clause and a UU would be acceptable.

DBB stated that if Caddick committed to provide all BNG off site then the condition would cover what it needed to.

MJ/GJ agreed, but re-iterated their view that if there was any possibility of BNG being delivered on site that had to be explored and then covered by a s.106 monitoring obligation.

GJ asked RM if Caddick needed a response in writing to confirm the Council's position.

RM said they do.

GJ agreed to speak to David Proctor and that DP would speak to Caddick/RM this week.

GJ/TP agreed that a delegated decision on the application by mid-January would be acceptable in the circumstances.

Meeting ended.

From: [redacted]
To: [redacted]
Subject: Ashton Gate - Wigan. Caddick application.
Date: 17 December 2024 11:03:54
Attachments: image001.png
3578 - 16th Dec 2024 minutes.pdf
240520 Meeting with Wigan BC. Pre-App.pdf

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Good morning [redacted]
Thank you for your time yesterday afternoon. I attached a copy of the meeting notes that Phil kindly took down.
I have also attached a copy of the notes from our Pre-App meeting from last May, to jog your memory about the link road and parameters plan discussions (see points 21-26).
I can confirm that there has been no discussion or correspondence with David Proctor prior to or since that Pre-App in respect of the Council's expectations about the location of Glenbrook's' link road or interpretation of Condition 5 of the Glenbrook Appeal decision with myself, Sam Ryan or anyone from Caddick.
Please arrange for your written position on the application conditions to be sent to me along with a copy of the wording we need to be able to have a UU drafted.
I look forward to hearing from David in due course. My telephone number for him to call is below.
Regards

[redacted]
Director
Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday
[redacted]
www.ryanandmay.co.uk

Please note my normal working days are Monday – Thursday.

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LOCKETT ROAD, ASHTON IN MAKERFIELD
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- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

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Meeting ended.

Ryan and May

REFERENCE **CADD-01**

DATE **20 May 2024**

Ashton Park Pre-app Meeting LPA

Attending:

- [redacted]

Up-date

1. Following introductions, BM provided an update regarding local engagement*. MJ has been issued with a link to the consultation website.

2. BM shared the parameters plan on screen. Shows the development area and access from Lockett Road and utilities easement that shows access into the remaining part of the allocation. The parameters plan does what we were asked to do in the highways pre-application consultation – i.e. provide access into the wider allocated land.

3. Application package is ready to go, includes a DAS with illustrative elevations; majority is shared on the website.

4. *Limited formal feedback despite wide consultation – 16 forms and 2 emails. Some misunderstanding on the basis that this is the Glenbrook scheme and the site is Green Belt; formal consultation closes on 22nd May likely to be submitted next week. Following up a request from the Leader of the Council regarding a meeting with the Director of Place.

5. TP confirmed that Caddick has secured an option with WBC Estates and access to the site via Lockett Road. Application is phase 1 of current proposal, landowner also owns adjacent land which will be phase 2. Option agreement with WBC is same timescale as that with the landowner for phase 1 land.

6. BM note that in addition to the technical reports, we have also prepared some indicate views – assumes that the Glenbrook scheme is developed, based on the Glenbrook parameter plans. Demonstrates that the height of the proposed building blends in – benefitting from landform.

7. What is happening with Glenbrook – NMA application?

R&M devote a proportion of our profits and time to our Charitable Foundation, which supports urban planning initiatives in rapidly developing countries.

The Planning 4 Change Foundation

Ryan & May Limited is registered in England, No. 12052756. The Planning for Change Foundation is a registered Charity no. 1185266

8. MJ signed off application to enable commencement of junction / highways works ahead of RM submission. No sign of RM submissions yet, but highways works shows a commitment to proceed.

LPA Feedback

9. GJ - please provide a list of documents for MJ to review. Note that WBC has updated its checklist from tomorrow, reflects statutory requirements for BNG as per policy in PfE.

10. SAR confirm that tested against the latest metric and targeting 10% BNG - combination of on and off-site.

11. GJ – okay in principle. Refer to PfE adoption as part of the development. Off-site contributions require land to be registered. Could take 6 – 18 months to set this up if WBC land, as WBC have to set up their own legal body first. Either use land outside of the borough or use national credits. GMEU will assess the metric. Key factor to consider is where the credits will be purchased from?

12. GJ- determinations can be within 13 weeks (If delegated and subject to s106). If >10 objections or councillor call-in then will need to be reported to committee. Councillors have 28 days from registration of application for it to be called-in. Note that Councillor [redacted] may call-in, we will get to see his comments and talk to him if he objects / call-in on basis that GB.

13. GJ – even if do call in, the October committee is looking realistic.

14. GJ – MJ will issue correspondence regarding s106, give the applicant the option to prepare the first draft of the agreement. WBC has a template (senior solicitor – [redacted] is the key contact). Start talking to him once application validated.

15. GK – design and amenity are key issues, but from what seen, happy with proposal. Highways and access will always come up. Linkage through to the other site is key, how is this to be secured and up to the red-edge boundary. How does access facilitate the wider development and what is in the TA.

16. MJ – submit the red edge plan, detailed access and parameters plan for approval. BM – yes.

17. BM – following the call, a full list of application documents will be provided. We also have a Screening Opinion – having worked on the basis that EIA is not required.

18. MJ – does red edge abut the Glenbrook site (i.e. no ransom); and what is the likelihood of more than one unit as shown on the illustrative plans.

19. BM – red line will abut Glenbrook, likelihood of one unit.

20. MJ – how will Caddick site link to Glenbrook, by reference to the parameter plans for each site.

21. BM – our parameters plan shows potential link to Glenbrook, but doesn't safeguard land to the south-east corner as per the Glenbrook illustrative masterplan. Open to discussions with Glenbrook. TP – Caddick has looked at this, but levels don't work. DBB – ultimately we can provide an access, subject to levels and proposals will not preclude links in the future.

22. MJ – if did speak to Glenbrook, then may facilitate the process and allay local opposition.

23. BM – application stands and falls on its own merits, as Glenbrook did. The level of objection is irrelevant as accords with the development plan – assuming that we'll be going to committee anyway.

24. GJ – decision-making is officer 'problem'; would prefer that there is an agreement with Glenbrook, in the interests of good-planning, but not essential. May be something to consider at RM stage.

25. DBB – Caddick won't be looking to re-open that discussion at RM stage. This application is not going to deliver an access to the Glenbrook land, no policy requirement. The link road is not off the table, but not necessary.

26. GJ – each development on its own merits is the lowest bar - should, ideally, aim to deliver a comprehensive scheme with link road. Understand DBB logic that application doesn't preclude access to Glenbrook

Highways

27. BM – confirm that the current application is for phase 1 only and the TA is for that site only with access from Lockett Road. TB has not assessed a link road or the implications of wider allocation through the access; that will come as and when later phases come forward. However, physically there is no impediment to the link road being provided.

28. TB confirm that the TA has been prepared in accordance with the agreed scope – same principles as Glenbrook, also refer to what was set out in Steven Riley pre-app comments of Feb 2023.

29. TA – also looked at SR response, would also like the traffic surveys/counts to be up-dated to sense check; Glenbrook traffic surveys date back to December 2020 (Covid years).

30. TB – submit the application and provide an up-date following further survey work to establish the baseline.

31. TA - that's okay; this should be set out in an addendum note. What about link road and wider allocation?

32. TB – Glenbrook and DB Symmetry are included as committed developments and traffic growth, updated to December 2023. Link road and wider allocation are not included in the TA.

33. GJ – what will the full part of the application (access road) include? Understand position re impact of the phase 1 development in the TA, but is the link road access capable of being future-proofed.

34. BM – design drawing for the access (shared by DBB); TP – legal obligation to develop this to adoptable standards. TB confirm the dimensions of the road and kerb radii; tracking has been carried out.

35. TA – looks like it has been designed to adoptable standards.

36. TB – framework Travel Plan has been completed.

Drainage

37. BM – plans show SUDS features and use of existing drainage ditch.

38. TP – some improvement works to the drainage, but not the PRoW. BM the PRoW runs parallel to the drainage ditch and a small part is within the red line boundary.

Next Steps

39. R&M issue a schedule of application documents.

40. Submission w/c 27 May.

41. MJ will be the case officer. Have an initial catch-up a few weeks in (including GJ). BM to get a date in the diary.

From: Bob May
To: [redacted]
Subject: Meeting on Monday at 3.30pm re application ref: A/24/97381/OUTMAJ
Date: 12 December 2024 14:37:19
Attachments: image001.png
241212 Ashton Gate letter to G Jones.pdf
Ashton Gate Meeting with LPA - Meeting Note 11 Dec 2024.pdf
240730 Meeting with Wigan BC.pdf
241128 Draft Conditions.docx

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Good afternoon [redacted]

Please find attached correspondence to you ahead of our meeting on Monday.

Regards

[redacted]

Please note - my normal working hours are 9.00 – 6.00 Monday - Thursday

[redacted]

[redacted] *note my normal working days are Monday – Thursday.*

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bob.may@ryanandmay.co.uk

Ryan and May

[redacted]
Service Manager - Development Management & Building Control
Wigan Council – Place Directorate,
Wigan Life Centre (South Site),
College Avenue,
Wigan,
WN1 1NJ.

Date 12 December 2024
Our Ref CADD-01
Your Ref -------

By email

Dear [redacted]

Ashton Park, Wigan. Application A/24/97381/OUTMAJ

I am writing in advance of our meeting on Monday afternoon to ensure that our expectations of that meeting are clearly understood and that the meeting can be approached in a constructive and positive manner.

The meeting has become necessary because of the failure of a meeting yesterday with the case officer to progress matters. I enclose a copy of meeting notes, which are self-explanatory. The meeting was arranged to discuss and agree the wording of conditions, something we have been seeking to do for some months. I have also enclosed a copy of meeting notes from July, when it was agreed that we would be provided with a set of conditions. No such set of conditions has ever been provided. Accordingly we had to prepare and submit our wording for consideration. A copy is enclosed. Our meeting on Monday is to agree the detail of that wording, so as to allow a delegated decision to be made before the Christmas break.

Since we met with [redacted] yesterday, the new NPPF24 has been published this afternoon. It retains the presumption in favour of sustainable development at paragraphs 11, which applies to this application and means: "*approving development proposals that accord with an up-to-date development plan without delay*". This is not being adhered to. The application, which follows a constructive pre-application discussion almost 18 months ago, has now been with the LPA for determination for 6 months.

In respect of decisions on transport matters and with specific regard to refusing permission on highways grounds new NPPF24 confirms that (para 116) "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*." Those circumstances do not apply in this case.

To be clear, the highways position is not as [redacted] understands it. [redacted] seems to be under the impression that paragraph 116 of the NPPF, whilst preventing an LPA refusing permission on highways grounds where an impact is not severe, still allows an authority to place a condition on a permission that seeks a highways improvement. This is a fundamental misunderstanding of the advice on the imposition of conditions and their role. Conditions should only ever be imposed where in their absence permission ought to be refused.

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Before our meeting I would appreciate it if you would ensure that [redacted] is briefed on the implications of the new NPPF24 and that he is either at the meeting to justify in person why he considers the impact of the development requires mitigation through the construction of a link road, or you have sufficient understanding from him to be able to confirm how you will determine the application in the absence of a demonstrable severe and unacceptable impact on highway safety.

[redacted]

[redacted]

Ryan and May

REFERENCE **CADD-01**

DATE **11 December 2024**

Meeting Note

Ashton Gate - A/24/97381/OUTMAJ

Attending:

- [redacted]
- [redacted]
- [redacted]
- [redacted]t)
- [redacted]

Venue – Teams
Date: 11 Dec 2024 2.30pm

The meeting had been arranged to review draft conditions provided to the LPA on 2nd December.

It was noted at the outset that the application, which was validated on 17th June, was approaching a 6 month anniversary; There were no conflicts with policy (the proposal is in outline for a use for which the site is allocated) and there are no objections to it.

In preparation for the meeting MJ had undertaken to:

1. Review the conditions prepared by the Applicant and be in a position to comment on them in detail so that wording could be agreed.

2. Liaise with Stephen Riley (SR) in Highways so as to be able to confirm the LHA position in respect of previous requests from them for provision of a link road connection as part of this application.

3. Confirm that the EHO was content with the responses made by the Applicant as to how noise is to be controlled (this was set out by way of draft conditions).

4. Confirm that the approach to BNG (by way of the draft conditions) was acceptable.

MJ had done this and the meeting discussed these as inter-related matters.

It became apparent that internal discussions between officers had led to MJ now putting forward a position with regard to the provision of a link road that the Applicant cannot accept as reasonable or justified. That link road request coloured the approach to discussing conditions and so in order to make progress an urgent meeting was requested (and agreed) with Gareth Jones (GJ). That meeting will take place on Monday 16th December at 3.00pm on Teams.

It was further agreed that BM would immediately write to GJ ahead of that meeting setting out the points for discussion and what the Applicant now expects in respect of decision making by the authority.

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BM and TP were clear that the current position is unacceptable and must be resolved. No further extension of the determination period will be agreed and the Applicant reserves the right to appeal against non-determination with the expectation of securing an early date for a public inquiry in the New Year.

LHA's reported position on the link road
MJ reported that SR considers the link road to be necessary and that without it the application should be refused. When pressed to explain whether that was because the traffic impacts of the development were such that the link road was required to mitigate harm to junctions; or whether the link road was required to alleviate existing issues and to create future capacity, MJ was unable to confirm. He related his understanding of highways impacts to be such that a refusal of planning permission could not be substantiated on the basis of the proposals traffic generation alone. Nevertheless, he considered that a condition requiring the link road was reasonable.

For the Applicant, PW confirmed that the Traffic Assessment has looked at committed development only and not taken into account potential flows from other allocated industrial land (in accordance with standard practice). The traffic impacts of the proposed development are not severe and do not require the provision of the link road.

BM explored MJ's understanding of the test for conditions and MJ agreed that essentially conditions should not be imposed unless without them permission would have to be refused. MJ could not say whether the LHA had recommended refusal of the application on that basis. Clarification of their absolute position would be sought.

In doing so, MJ would confirm to the LHA that the Applicant considers that the scheme, with the conditions suggested by the Applicant, safeguards the future delivery of a link road.

LPA's reported position on the link road
MJ set out a request that the application be amended to show the safeguarded land for the link road connection in a different place. See screen shot below.

MJ's requested location of safeguarded link road point, pink cross. Actually northern most connection point following Inspectors condition on Glenbrook marked by pink N.

MJ's basis for doing so was said to come from his reading and understanding of the Inspectors decision on the Glenbrook scheme and the condition imposed by that inspector. The decision was reviewed at the meeting and the relevant extract is in the screen shot below.

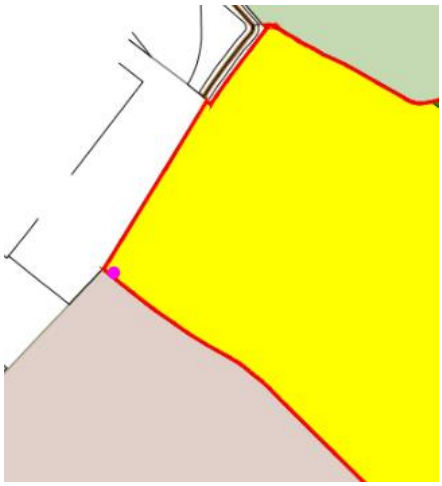
Extract from Glenbrook appeal letter – condition on link road

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:

- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

It was clear (and Applicant's Counsel has confirmed) that the condition imposed by the inspector on the Glenbrook decision requires them (Glenbrook) to provide for a link road that emerges at the point proposed by the Applicant.

Glenbrook parameters plan – northern most point linking to Lockett Road identified (pink spot)



MJ erroneously referred to, and placed great weight on, the illustrative scheme for the Glenbrook development. It was pointed out to him that the illustrative scheme is clearly marked 'Not for approval' and that the only approved plan for Glenbrook was their parameters plan. MJ reluctantly accepted that the approved Glenbrook parameters plan shows development, including access road, being able to take place right up to the Applicants site in the position where the Applicant has proposed a safeguarded link. As such it was finally accepted that the Applicant's proposals and the Glenbrook approved parameters plan were

consistent, such that approval of the Applicant's proposal would not prejudice delivery of the Glenbrook scheme.

Extract from Applicants Parameters Plan showing (pink spot) the northern most point where access is possible to a future a link road connection

It was apparent that the change MJ was seeking would disadvantage the Applicant (see note below in relation to additional build costs and loss of floorspace) whilst at the same time being advantageous to Glenbrook. MJ did not explain to the meeting why the Applicant should amend their scheme in favour of Glenbrook. He was, however, able to confirm that he had been in discussions with their agent and was aware of the benefits to them of re-routing the line of the link road away from that sought by the Inspector.

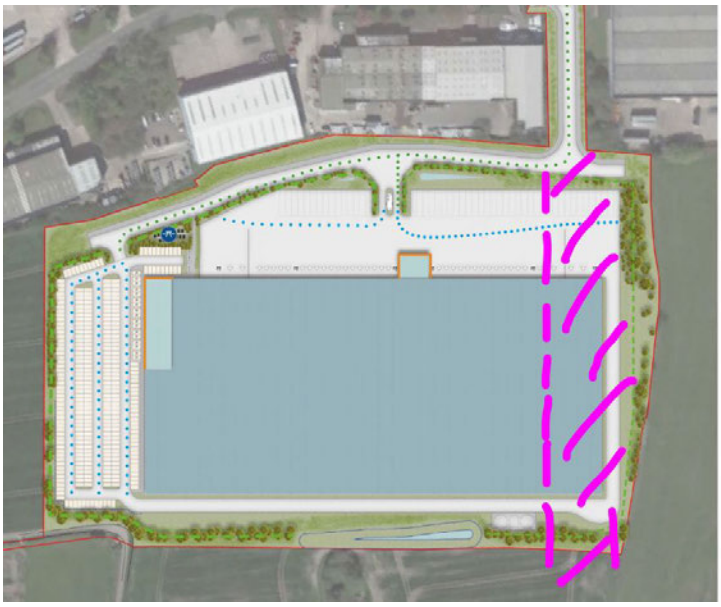
MJ explained that, notwithstanding the LHA's position on the necessity of the link road on highway impact grounds, the link road was desirable as a matter of 'good planning' because it would provide for pedestrian and cycle access.

BM confirmed that the Applicant's position on the link road was that pedestrian and cycle access would be accommodated as and when the link road was built; the planning application makes provision for that by safeguarding enough land within the site for those links to be created. At present there are no pedestrian and cycle paths to link into. There is no conflict with 'good planning' in the approach taken by the Applicant.

Request for amendments to the site layout

MJ considered it reasonable to suggest that the Applicant amend their scheme by replacing a fire access road (shown illustratively in the masterplan) with a full access road that is capable of linking to another part of the site (see location of requested position in screen shot above). It was explained to MJ that to do so would result in the loss of c.10% of the floorspace applied for, a reduction in GDV of £6,000,000 additional build costs of c. £1.2m for the additional road and a completely new earth works strategy which would result in a further c£600,000 of costs

Impact of MJ amendment



Suggestion not to approve the Parameters Plan
In reviewing the conditions MJ suggested that the condition approving the submitted plans should exclude reference to the Parameters Plan. MJ's reasoning was that the Parameters Plan will fix the position of the safeguarded link road connection, which he / SR wishes to avoid.

This is not acceptable to the Applicant. The Parameters Plan provides certainty to the applicant and is necessary for marketing the site / permissions to future occupiers. The plan itself has been the subject of discussion with the LPA from the outset 18 months ago and has been thoroughly tested. It forms the basis of ES screening and is an integral part of the consideration of the effects of the proposal on the surrounding area.

The Parameters Plan must be treated as a plan submitted for approval and included in the list of plans set out in conditions.

Request for amendment to the red edge detail of the access proposed
Notwithstanding the discussion on the link road, MJ requested, on behalf of [redacted] (SR) of the LHA, that the detail in the application that shows the new access (as per the screen shot below) be truncated. It was, however, obvious that this request comes about solely because of SR's pursuit of a link road in a different place.

It was confirmed by BM for the Applicant that the red edge of the road detail would not be amended.

BNG considerations
MJ had previously explained his difficulty in understanding how BNG could be calculated and fixed for an outline scheme when siting was not approved. Having worked though this he had accepted that the application was given level of floorspace and the illustrative masterplan and proposed parameters plan meant that it was almost certain that off-site provision of BNG would be necessary. This is acceptable in principle. The Applicants have proposed conditions to deal with this, which MJ confirmed were acceptable as drafted.

MJ then suggested that it might be necessary for the Applicant to enter into a s.106 Agreement, should 'significant' levels of BNG be provided on site, so that the LPAs monitoring costs were covered. In MJ's view such an eventuality needs to be to factored in and any decision on the application delayed further whilst a s.106 was drawn up. Such as delay is not acceptable to the Applicant.

For the Applicant BM confirmed that the 'significant' levels of on-site BNG not be provided and so no s.106 monitoring finance was required. Whilst some BNG provision could and would be made, it was certain that in order to accommodate the floorspace for which the application had been made and the land required for future link road connections, the 'significant' BNG would be off site. The conditions agreed deal with this.

Noise considerations

MJ confirmed that the EHO's suggested condition on fixed plant could be accommodated in the same way as the their conditions on fumes and odours (i.e. including wording only requiring limits in place if fixed external plant was proposed). He confirmed that the operational noise level limits were broadly consistent with those suggested by the Applicant. No further discussion with the EHO is considered necessary.

BM 241211

Ryan and May

REFERENCE **CADD-01**

DATE **30 July 2024**

Ashton Park Meeting LPA

Attending:

- [redacted]

Up-date

1. Application validated 17 June (A/24/97381/OUTMAJ)
2. Public consultation period expired 12th July and no comments received by LPA and nothing recorded on WBC website.
3. Not called up to committee by a Councillor (deadline was 15 July)
4. Site visit undertaken
5. Determination deadline 16th September.
6. Water Vole 2nd report issued 24th July – no evidence found
7. Caddick is currently liaising with a couple of environmental brokers (including the Green Earth Group) to purchase off-site BNG units.

Consultation Responses

8. Statutory and technical consultations received.

    a. No objection subject to conditions (reviewed and generally acceptable to Caddick):
        i. UU (15th July version)
        ii. Landscape / LVA
        iii. Trees
        iv. Air quality
        v. LLFA and drainage
        vi. Natural England
        vii. Environment Agency
        viii. GMEU Ecology- to reconfirm (David Dutton accepted water vole info is correct. Wants to review BNG metric.)

    b. Awaited:
        i. Highways & Transport Policy, inc Travel Plan – a single response will be provided
        ii. Environmental health – MJ chased and asked to prioritise (noise)
        iii. Archaeology - MJ to chase

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iv. Coal board – MJ to chase
v. Police (Design out Crime) – MJ to chase

Officer Feedback to application

9. MJ – visited site and ok with information and details provided.

10. LHA, via email (not a formal response) they are looking for future proofing of site in connection to neighbouring sites - noted that this is incorrect and MJ to go back to them and point out parameter plan has this as a commitment. They say no mitigation of off-site junctions is proposed; and parking levels are not in line with policy (too low)?? MJ to check standard they have assessed (as the adopted standard is a max) and go back to them.

11. PROW Officer – asked applicant to provide link to PROW in SE corner in the site. Yes to an employee access (and pick up in the travel plan document). No to a PROW across/through the site (or across the wider allocation).

Next Steps

12. MJ to chase up the formal LHA response and get it circulated so Eddison can review and respond.

13. Delegated approval? – Yes, before the deadline of 16th September provided no more than 10 objections (none at present).

14. Conditions and S106 – UU may be sufficient. MJ to prepare a draft of conditions for sharing with the applicant team in the next couple of weeks.

Ashton Gate - Draft Conditions

Government guidance (NPPG Paragraph: 024 Reference ID: 21a-024-20140306) recommends that conditions are ordered as follows:

1. the standard time limit condition for commencement of development
2. the details and drawings subject to which the planning permission is granted
3. any pre-commencement conditions
4. any pre-occupancy or other stage conditions
5. any conditions relating to post occupancy monitoring and management.

The proposed conditions below follow that sequence, together with a category for conditions that relate to the detail to be submitted at Reserved Matters stage.

All conditions have been considered against the 6 tests for conditions (NPPF Para 55): necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

Standard time limit condition for commencement of development

1. Applications for all reserved matters shall be submitted to the Local Planning Authority within 3 years of the date of this planning permission. The development hereby approved shall commence within 2 years of the last reserved matters approval.

Details and drawings subject to which the planning permission is granted

2. The development hereby approved shall be carried out in accordance with the details contained on the following plans and documents:

- Location Plan Ref: 2387/2000/Rev D
- Site Access - Priority Junction Drawing Ref: 2578-F05/Rev A
- Land Use and Building Height Parameters Plan Ref: 2387/2005/Rev F
- Constraints Plan Ref 2387/2006/ Rev D
- Travel Plan Framework – Ref: 3578 dated March 2024
- Framework Energy and Sustainability Requirements and Strategy Ref: 32542-ELDS. Dated April 2024
- Framework Construction Environmental Management Plan Ref: Rev 01. Dated 9 February 2024
- Outline Ecology Construction Environmental Management Plan Ref: 9688.02.003 Version 3.0
- Operational Noise Management Plan by Apex Acoustics, dated 26 January 2024

Conditions requiring submission of specific details as part of Reserved Matters

3. Any reserved matters application submitted in respect of layout shall fully accord with the approved Parameters Plan – drawing ref: 2387/2005/Rev F. The route of the proposed roadway shown on the Parameters Plan shall be safeguarded for the provision of footpath, cycle and vehicular links to the adjacent land, and no built development will be permitted on that part of the site.

4. Any reserved matters application in respect of scale shall be limited to those heights detailed on plan reference: Land Use and Building Height Parameters Plan Ref 2387/2005/Rev F

5. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

(i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and

(ii) full details of the finished floor levels of all buildings and hard surfaces.

6. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

7. Any reserved matters application in respect of layout shall include details of parking for HGVs, private cars and covered cycle parking facilities associated with each specific unit on the site. The facilities shall be maintained as approved thereafter.

8. All new buildings approved as part of any reserved matters application shall be designed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (32542-ELDS) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 rating 'Good'.

Pre-commencement conditions

9. Prior to the commencement of any part of the development hereby permitted, approval shall be obtained from the Local Planning Authority with respect to the following matters: internal access, scale, appearance, layout and landscaping.

10. Prior to the commencement of any part of the development hereby permitted, a s278 Agreement under the Highways Act 1980 shall be entered into to secure improvements to the SCOOT operation of the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction.

11. Prior to the commencement of the development an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively be limited to, the following matters:

- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;

- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;
- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;
- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;
- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and
- A list of contact details during development.

The development shall be fully undertaken in full accordance with the approved AMS.

12. Prior to the commencement of development, notwithstanding the details within the Flood Risk Assessment & Drainage Strategy, details of the Sustainable Drainage System (SUDS), including the following shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed arrangements for the methods to attenuate and discharge surface water from the site;
- Detailed scale plans of the SUDs attenuation basin
- Micro drainage reports and flood route plan;
- SUDS maintenance plan;
- Detailed plans of required culvert;
- Details of additional storage for geo-cellular storage vessel;
- Details of proposed pollution control measures for surface water runoff from car parks;
- Proposals for conveying water of existing watercourses (drains, ditches) on site; and
- Management and maintenance details.

The development shall be implemented in full accordance with the agreed details only.

13. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

14. Prior to the commencement of development hereby approved by the Local Planning Authority, a Construction Environmental Management Plan (CEMP) in accordance with the Framework CEMP Ref: Rev 01 dated 9 February 2024 shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for:

- the methods to be employed to control and monitor noise,
- dust mitigation measures as identified within SLR report reference: 402.065112.00001 rev 4.0 dated 28/03/2024
- vibration impacts,
- mud on the road,
- the storage of building materials, equipment and plant, and
- the placement of site cabins, site offices and storage containers.

The approved CEMP shall be implemented before the construction works commence and shall be adhered to for the duration of the construction works.

15. Prior to the commencement of development, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified within the Ecological Assessment shall be submitted to and approved in writing by the Local Planning Authority. The PWMS should be included as ecological input to inform the contractors environmental method statement (CEMP) pursuant to condition 14, to ensure reasonable avoidance measures, where required, are put in place prior to site clearance and for the duration of the construction works.

16. Prior to the commencement of any phase of the development hereby approved, a scheme detailing on-site and, if required, off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall 10% net gain in biodiversity, and shall include:

- Details of the offset requirements of the development, in accordance with the most up-to-date recognised biodiversity offsetting metric;
- The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
- The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
- A Habitat Management and Monitoring Plan (HMMP), to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:
    - Description of all habitats to be created/enhanced with the scheme including expected management condition and total area;
    - Review of the ecological constraints;
    - Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
    - Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
    - Identification of the persons responsible for implementing the works;

    - A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
    - A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
- All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.
- The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

17. Prior to the commencement of any phase of development that requires off-site provision of BNG, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units should be submitted to and agreed in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

18. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction / access road in accordance with drawing reference Ref: 2578-F05/Rev A), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified. In the event that remediation is required, then a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and, if required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

19. No development shall take place until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase of construction has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

Pre-occupancy or other stage conditions

20. Within 2 years of the first submission of reserved matters, a reserved matters application for landscaping details shall be submitted for the area coloured green and annotated for such on the approved parameters plan ref: 2387/2005/Rev F. It shall include: full details of hard and soft landscaping, retention of existing trees, and details maintenance and management, together with a timetable to implement each of the above. The above shall be implemented in accordance with the approved timetable and maintained as approved thereafter.

21. The development hereby approved shall only operate in accordance with the Operational Noise Management Plan ref NMP01 / Rev B dated 26 January 2024, that has been submitted to and approved by the Local Planning Authority. That Noise Management Plan shall take account of the findings of the Noise Impact Assessment Ref 11358.1 Rev D dated 30 January 2024.

22. Operational noise: The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.

- Daytime Monday to Sunday 07:00 to 23:00 - 38dB(A)
- Nighttime Monday to Sunday 23:00 to 07:00 - 30 dB(A)

23. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odours (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

24. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

25. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Training and Employment Management Plan (T&EMP) has been submitted to, and approved in writing by, the Local Planning Authority for that building. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and

- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

26. In accordance with the Council's Development and Air Quality SPD (2021), prior to first use of the development, an Electric Vehicle Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The electric vehicle charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated with that phase could occur in parking or servicing areas not provided with charging points from the outset.

27. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan Ref: 3578 dated 7 February 2024. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

Conditions relating to post occupancy monitoring and management.

28. No external lighting shall be installed other than in accordance with the details submitted to and approved by the Local Planning Authority beforehand. The lighting shall thereafter be maintained and operated in accordance with the approved details.

From: [redacted]
Subject: FW: South Lancs Industrial Estate - Conference 8/1/25
Date: 19 May 2025 15:48:08
Attachments: Appeal Decision Letter.pdf
CD3.3 - Proposed Illustrative Masterplan - 9812-AEW-XX-XX-PR-A-0504_P6 .pdf
CD3.5 - Proposed Parameters Plan - B9812-AEW-SI-XX-DR-A-0505_P6.pdf
CD3.13 - Extended Location Plan- B9812-AEW-SI-XX-DR-A-0047_P.pdf
Parameters Plan.pdf

As requested.

Cheers

[redacted]

From: [redacted]
Sent: 20 December 2024 11:28
To: [redacted]
Cc: [redacted]
Subject: South Lancs Industrial Estate - Conference 8/1/25

Dear [redacted],

We have arranged with Mark a Teams call on 8th January to discuss an issue that has arisen concerning the above site.

You may recall the public inquiry early last year where you represented the Council. The first attachment is the Planning Inspector's Decision Letter. Set out below is condition 5 that was attached to the permission granted on appeal. This is at the crux of the issue where your advice is sought, specifically, where it requires a connection between the development site and the remaining Primary Employment Area to the north west terminating at the most northern point (emphasis added).

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:
- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

The second attachment is the proposed illustrative masterplan for the appeal site. It is stressed that this is only illustrative. It shows a possible layout of, amongst other things, internal roads within the site.

The third and fourth attachments are the proposed parameters plan and the extended location plan. I understand that there have been some discussions with the appellant about the submission of a reserved matters application, although nothing has been

finalised as yet.

What has been submitted, in June of this year, is an outline application (A/24/97381/OUTMAJ) for neighbouring land that sits to the west of the appeal site. At this stage, I don't need to go into much detail about what has happened during the history of the application, save to say that the application has not yet been determined and the relationship between the LPA and the Applicant might be described as a bit tense. An appeal against non-determination has been threatened, an extension of time was agreed up to October, but that might now have subsided pending both sides seeking legal advice. The main issue between the parties is the inter-connectivity between the applicant's site and the appeal site.

The fifth attachment is the applicant's parameters plan. This shows access to the site being provided from Lockett Road to the north and then an internal road going both left and right, with the right spur being the connection to the appeal site. This is where there is a difference between the applicant and the LPA, as the LPA anticipated that the two sites would be connected at the bottom right hand corner of the application site. The applicant is steadfastly against any change to the parameters plan to allow for this.

The first question therefore is, where did Condition 5 specify the two sites should be connected? Is the applicant's proposed alignment compatible with the Condition?

Depending on the answer to that question, given that A/24/97381/OUTMAJ is the only detailed application that has been received, would there be any issue with the LPA dealing with A/24/97381/OUTMAJ first, granting a permission based on the parameters plan, meaning that any Reserved Matters application on the appeal site would have to align with it?

A final point, from a highways perspective, is that connectivity between the two sites, whilst preferrable and is good planning, a lack of such connectivity would not result in severe harm to the surrounding highway network.

Hopefully that sums up the issues for your consideration, but Gareth and Mike are copied in, in the event I have got something wrong, or there is any further information that they think would assist. We can of course also deal with any issues when we meet in January.

All being well, that just leaves me to wish you a great Christmas and we look forward to catching up with you in the New Year.

Regards

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The Planning Inspectorate

Appeal Decision

Inquiry Held on 31 January, 1, 2, 3 February 2023
Site visit made on 31 January 2023

by J[redacted]

an Inspector appointed by the Secretary of State

Decision date: 5th May 2023

Appeal Ref: APP/V4250/W/22/3307710
Land southeast of South Lancashire Industrial Estate, Lockett Road, Wigan WN4 8DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Glenbrook Industrial Ltd against the decision of Wigan Metropolitan Borough Council.
- The application Ref A/21/92036/OUTMAJ, dated 8 July 2021, was refused by notice dated 27 April 2022.
- The development proposed is an outline planning application with details of means of access (partial details of access and details of scale, layout, appearance and landscape are reserved) for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road off Bolton Road and associated works.

Decision

1. The appeal is allowed and planning permission is granted for the erection of up to 625,000 sqft (58,064sqm) (GIA) of industrial, storage and distribution floorspace with ancillary offices (Use Classes B2, B8 and E(g)), construction of primary estate road off Bolton Road and associated works at Land south east of South Lancashire Industrial Estate Lockett Road Wigan WN4 8DE in accordance with the terms of the application, Ref A/21/92036/OUTMAJ, dated 27 April 2022, subject to the conditions in the conditions annexe at the end of this decision.

Preliminary matters

2. The above address is taken from the application form, but the proposed site access would be off Bolton Road rather than from Lockett Road.

3. The application is in outline with all matters except access reserved. Details of the proposed access onto Bolton Road were provided but not for the rest of the access road through the site, which I return to latterly. A Land use and Building Heights parameters plan was submitted for consideration at this outline stage and a compliance condition is suggested by the Appellant. An illustrative masterplan was also submitted but I have only considered this as titled.

4. The Section 106 agreement signed on 22 February 2023 makes provision for improvements to the existing right of way to the southwest of the site, travel

plan monitoring, bus stop improvements on Bolton Road and off-site biodiversity enhancement measures at Westwood Flash SBI[1]. I consider the agreement latterly.

5. Keep Ashton Green (KAG) participated in the Inquiry as a Rule 6 Party.

Main Issues

6. At the Case Management Conference[2] (CMC), the Council clarified that the reason for refusal related to the effect of the proposal on the operation of the local road network, in particular congestion, with inadequate mitigation proposed. The Statement of Common Ground on highway matters confirms that the Council had no objection on safety grounds.

7. KAG raised pedestrian safety at the CMC, and I also include this as part of the main issue on the operation of the local road network.

8. Part of the appeal site is within the Greater Manchester Green Belt. Whilst the Council did not object to the proposal on the basis that it conflicted with Green Belt Policy, nonetheless, it is a particular consideration in relation to the National Planning Policy Framework (the Framework) which I am obliged to consider.

9. I therefore consider that the main issues are:

- the effect of the proposal on the openness of the Green Belt and whether any harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal; and

- the effect of the proposal on the operation of the local road network, in particular congestion and pedestrian safety, notwithstanding the mitigation proposed.

Reasons

Green Belt

10. The appeal site was allocated as employment land in 1996 as part of a larger development. The northern part of the allocation has been developed and is accessed off Lockett Road. However, that access has not been extended into the appeal site and I am advised that this would be at the behest of another landowner. The inability to achieve access from the northern part of the site has meant that the appeal site has not been developed. This proposal seeks an alternative access to the south, off Bolton Road.

11. The Council[3] mapped the boundaries of the appeal site and the Green Belt. The Bolton Road junction, the access road, drainage ponds and associated landscaping would be within the Green Belt boundary whilst the substation and other buildings would be outside. The road junction works also include a pedestrian pavement extension along Bolton Road[4], which would be within the boundary of the Green Belt.

[1] Westwood Flash SBI as stated in definitions of legal agreement
[2] Case Management Conference note for 7 December 2022
[3] Council Statement of Case Appendix A
[4] S278 General Arrangement

12. Policy CP8 of the Wigan Local Plan Core Strategy (CS) makes reference to the Green Belt but largely defers to national policy, which is the Framework. Paragraph 137 refers to the essential characteristics of the Green Belt being openness and permanence.

13. The Greater Manchester Green Belt Assessment 2016 was undertaken by landscape consultants on behalf of the Councils within the Manchester Green Belt including Wigan. This considers how the designation contributes to the area in terms of national policy. The Assessment finds that for this area, sprawl has been generally avoided, merger of settlements has been prevented but the designation has been weak in terms of encroachment of development.

14. Paragraph 150 of the Framework acknowledges that engineering operations and local transport infrastructure may not be inappropriate in a Green Belt location. It also requires that engineering operations and local transport infrastructure preserve the openness of the Green Belt and do not conflict with the purposes of including land within it

15. The proposed drainage pond, road, footway and junction would be engineering operations due to the nature of the works involved. The Glossary to the Framework does not provide a definition of 'local transport infrastructure'. However, the proposed access road would be built to adoptable standards for vehicles as well as cyclists and pedestrians.

16. The wording in the Framework is very generalised and the proposal is a locally orientated road for all modes of transport. I therefore find that the proposal constitutes engineering operations and local transport infrastructure.

17. Paragraph 150 also has a criterion that such works demonstrate a requirement for a Green Belt location. The appeal site is a long standing substantial employment allocation which has not been implementable due to land ownership. I find that the now intended access through the Green Belt would be necessary.

18. Paragraph 138 of the Framework describes the five purposes of the Green Belt: check the unrestricted sprawl of large built up areas, prevent neighbouring towns merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and assist in urban regeneration.

19. The drainage pond would be low lying and potentially a naturalised shape which with boundary planting would allow it to be perceived as part of the landscape.

20. The pedestrian pavement extension would be adjacent to Bolton Road and would be perceived as part of it rather than an encroachment into the countryside.

21. I find that the drainage pond and pavement extension would preserve the Green Belt openness and do not conflict with the purposes of including land within it, so would not be inappropriate.

22. The access road would be likely to be lined by planting as indicated in the parameter plan which would be akin to new field boundaries. However, the

roadside surface together with the adjacent foot/cycleways would be 7.3m wide which would be unlikely to be wholly screened, particularly so when viewed from the point of the Bolton Road junction. Such a hard surface would be an encroachment into the Green Belt, although due to the size of the belmouth, the access would not have a significant impact.

23. In addition, the Planning Practice Guidance Green Belt[5] refers to the need to consider 'the degree of activity likely to be generated such as traffic generation'. The road would serve a substantial employment area leading to the presence of vehicles, in particular lorries. The movement, colours and texture of these vehicles would harm the sense of openness of the Green Belt.

24. The vehicles would not be a constant feature and would only be experienced for the moment when on the proposed access road. The vehicles would also be perceived from Bolton Road but that itself is a busy road. This would also limit the harm arising.

25. Some lighting would also be expected[6], and whilst the submitted lighting assessment foresees the hooding of lights and a condition is recommended to limit the spillage, some brightness is inevitable as that is the function of lights. Bolton Road has street lighting so from there lighting would only be marginal in its effect, but not so from the adjacent footpath, which is a dark landscape, although at times of darkness this would be expected to be used by very few people. The columns would be visible during daylight but would be expected to be slender. In these respects, the proposal would harm the visual quality of the Green Belt albeit this would be slight.

26. I find that the proposal would harm the Green Belt, by reason of inappropriate development, and it would also be contrary to Policy CP8. Whilst this harm would be very limited, nonetheless Paragraph 148 requires that substantial weight is given to any harm. Paragraph 147 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. I consider this latterly together with any other harms.

The effect of the proposal on the highway network

27. The reason for refusal refers to only one Development Plan policy: Policy CP7. This seeks to maximise the capacity, efficiency and safety of the road network reducing as far as practical the adverse impact of transport on communities, town centres and the wider environment.

28. The Council accept that the thrust of Policy CP7 is not higher than that of Paragraph 111 of the National Planning Policy Framework (the Framework). This states development should only be prevented or refused on highway grounds if there would be a new unacceptable impact on highway safety or the residual accumulative impact on the road network would be severe.

29. Both parties acknowledge the Hawkhurst judgement[7] whereby the test of a severe impact is whether the proposal would in itself create a severe impact.

[5] Paragraph: 001 Reference ID: 64-001-20190722
[6] Mr Page Proof of Evidence paragraph 7.3
[7] R (Hawkhurst PC) v Tunbridge Wells BC & Ors. [2020] EWHC 3019 Admin) at [138]

Highway characteristics of the area

30. The Council confirm their concern is not a safety consideration but one of congestion. Any congestion needs to be considered over the wide road network beyond the vicinity of the site access.

31. The site is on the edge of Ashton-in-Makerfield (Ashton), on the A58 Bolton Road from Wigan. This is a single carriageway which the Appellant suggests is 8.5m wide[8]. It traverses through the suburbs of Ashton into the town centre via several junctions with other roads which have traffic lights or priority junctions as well as pedestrian crossing points. I am advised that the timing of the traffic lights is set at 120 seconds delay which is unusually long to maintain the flow of traffic.

32. There are pedestrian pavements on both sides of this road and lighting which encourage walking. Similarly, there are bus stops serving various routes including Wigan to Ashton.

33. After several miles beyond the town centre and the far side from the appeal site, the A58 joins the M6 at junction 23. This junction has access in both north-south directions whereas the neighbouring junction, 24, to the north has restricted access.

The traffic generation of the proposal

34. The Councils' planning and highway officers agreed the Transport Assessment (TA[9]) at the planning application stage. The Council accept[10] that this is the only data before the Inquiry upon which a judgement can be made on the severity of impacts. However, at the Inquiry Mr Riley on behalf of the Council disputed several aspects of the TA which I explore latterly.

35. The TA uses TRICS figures to determine the likely traffic generation, as requested by the Council at the planning application stage. However, in addition the Appellant undertook a manual count of traffic emanating from the adjacent industrial estate, which has very similar accessibility to the appeal site and type of employment proposed, and so is a valid comparison. The TRICS figures show a 1.5 times higher a.m. peak and 2 times higher p.m. peak than the manual count.

36. The TRICS figures are generic data for traffic generation, which is based on the size of the employment floorspace, whereas some traffic is on the road anyway due to out commuting for employment: there is to be expected an element of 'double counting' as people are currently travelling to work. The Wigan Local Plan Core Strategy[11] (Core Strategy) refers to out commuting from the area, which would be likely to be reduced by more local employment opportunities.

37. In addition, the TA also makes no allowance for the reduction in vehicles due to walking and cycling and car sharing which are promoted in the submitted travel plan.

[8] Paragraph 2.2.1 Framework Travel Plan
[9] Mr Jones letter to PINS
[10] Council closing paragraph 21
[11] Paragraph 4.2 Wigan Local Plan Core Strategy, September 2013

38. Thus, I find that the traffic generation figures in the TA represent a worst-case scenario.

Congestion

39. The nearest junction to the appeal site is Bolton Road/Golborne Road. The Appellant acknowledges this is at near capacity and the proposed development would lead to exceedance. The appeal proposal includes provision for the signalisation of this junction and a condition is so proposed. All the parties accept that this would resolve the capacity issue at this point.

40. The overall traffic flow from the appeal site into the town centre has not been modelled, rather the TA calculates the change in flows at each junction, in 2024 for their a.m. and p.m. peaks. The TA's methodology and results were agreed by the specialist Council Officers at the application stage. The Council at the Inquiry did not submit their own evidence to quantify the delay at the junctions but instead relied upon the results in the TA.

41. Bolton Road/Bryn Road which is a signalised junction would be most affected by the proposal with an increase in flow of 11.1% a.m. peak and 8.4% p.m. peak. Gerard Street/Bolton Road also signalled controlled, is the next significant with increases of 7.7% a.m. and 6.2% p.m. The other junctions, Liverpool/Bryn Street and Warrington Road/Lily Lane would have lesser increases. The TA shows the increased traffic hold up and delay movement through each junction would be around a minute or less[12], which I find would be negligible.

42. The potential congestion as an accumulative delay also needs to be considered since that would be the overall effect on the highway. In cross examination of [redacted], the Council asserted the accumulative delay would be 2 minutes 22 seconds at a.m. peak, based on the total of the delays from each junction as shown in the TA. [redacted] accepted that total although did state that it would be the worst case, which I return to shortly.

43. In the absence of any other submitted evidence to the contrary, I find that 2 minutes 22 seconds would be the total peak delay. Whilst any delay is a nuisance and annoyance, I conclude that this would not be significant.

44. Moreover, for longer journeys beyond the town centre, this delay would be a small component. The Appellant[13] reproduces times from 'Google' for a journey from opposite the appeal site through the town centre to the M6 junction 23, a distance of 2.4 miles. This is a representative route for through traffic. It is shown for a Monday and whilst this is a snapshot it is nonetheless based upon Google's extensive data research. The existing journey times are typically 12 minutes with 22 minutes at the morning peak. I find that the additional delay due to the proposal would not be significant.

45. In any event the 2 minutes 22 seconds delay, being the sum of the total delay at each junction, would be likely to be the worst case, as delay at one junction at traffic lights would open a gap at a subsequent junction which then would be utilised once that traffic has moved on. This was indeed the case on three of my four site visits which were at peak times.

[12] Transport assessment/ [redacted] Proof of Evidence
[13] [redacted] of Evidence page 36. As measured at the Holiday Inn.

46. In addition, this delay would also be expected to be a worst-case scenario due to the reliance upon the TRICS figures, the assumption that the proposal would be all new drivers travelling to work and not counting the saving of out commuting as well as the benefits from the promotion of cycling, walking and car sharing in the Travel Plan.

47. The Council suggest that improving the Bolton Road/Golborne Road junction would release more traffic thereby potentially moving the congestion. Whilst more traffic would flow at any one time, the current delay at one of the worst points of the highway would be reduced, so that overall, a net benefit would be expected.

48. Similarly, KAG submitted several videos which showed stationary traffic at various points on Bolton Road. However, these were from single viewpoints which can only show snapshots of that part of the road at that particular time, so whilst the traffic may have stopped at that point, it may well be moving elsewhere on Bolton Road. The videos do not show that the delay would any greater than that of the 2 minutes 22 seconds above.

49. The Council at the Inquiry also argued that HGV rates into the town centre were underestimated as the signage consistently directs M6 southbound traffic through the town centre. However, the Appellant's uncontested evidence[14] shows even if all vehicles used the town centre route, the a.m. peak would be a further 14 vehicles/hour inward and 11 vehicles/hour outward. This would amount to an extra 9 vehicles/hour westbound and 7 per hour eastward. I do not find that this accumulatively would be significant.

50. The Council also suggested on street parking at both ends of the Bryn Road/ Bolton Road junction can obstruct the existing flow as it impairs 2 lanes from operating. However, I observed that the immediate areas of both sides of the junction have double yellow lines to restrict parking which would if enforced allow flow and in any event the proposal would not be significant.

51. The Council suggests the alignment of Bolton Road/Bryn Road South junction has an overly tight turning for HGVs. Whilst this is challenging, it nonetheless has been plotted and found feasible. Indeed, it is part of the adopted road network and used on an everyday basis by HGVs so any additional disruption from this proposal would be likely to be minimal, especially as the Council foresee most resulting traffic would go through the town centre rather than this route.

52. The M6 is the other side of Ashton from the appeal site. The junctions' capacity and the demand from this proposal were modelled. The Highways England had no objection and I similarly concur.

Peak spreading

53. The TA shows that the traffic would be distributed over a wider time and the proposal would increase the flow outside of peak hours.

54. The Council's concern is that peak time conditions would be prolonged, and the quieter times encourage residents to walk and allow shops to load goods.

[14] [redacted] paragraph 6.7.4 Proof of Evidence

55. However, I noted above that the delay at peak times would not be significant and therefore at other times it would also be insignificant. There may well be some residents who make a conscious choice to go out at quieter times, but no compelling evidence was submitted to demonstrate that such decisions are due to journey times.

Safety

56. The roadside footpaths provide dedicated and segregated routes for pedestrians, which are protected from any hazard on the carriageways. In terms of crossing the roads, there are defined crossing points at most of the desire lines across the A58. Whilst there is a 690m gap at one point, a pedestrian could make the decision to cross the road early.

57. There are a couple of primary schools between the appeal site and the town centre but generally they are away from the appeal site. Secondary schools are located the other side of Ashton from the appeal site. Thus, although some school children may well be walking in the vicinity of Bolton Road, the most likely school footfall would be expected to be concentrated away from the appeal site environs.

58. KAG reproduce statistics of incidents for the area, which are also considered in the Transport Assessment. Whilst the several incidents referred to are regrettable, these are few and do not appear out of the ordinary. No demonstrable evidence was produced to show that they are any different to any other suburban area.

59. The statistics also show the incidents are away from the intended site access, which indicates that the immediate environs are relatively safe. The site is within a 30mph limit, appropriate visibility splays[15] can be provided, and pedestrian crossing points are shown. The pavement extension would provide segregated access to the bus stops.

60. In addition, no evidence was submitted to the Inquiry to show that delay in traffic flow arising from the proposal would lead to poor driver behaviour, thereby harming safety of road users or pedestrians.

61. Whilst the existing traffic, including HGVs, may be noisy and obtrusive to the experiences of pedestrians, no demonstrable evidence was presented to the Inquiry that pedestrian safety would be jeopardised by the proposal.

62. The signalisation of the Bolton Road/Golborne Road junction would help pedestrian movements by formalising that crossing point.

63. I therefore find that the proposal would not harm pedestrian and highway safety. The Council confirmed that safety was not a concern and I similarly concur.

Conclusion

64. The mitigation measures proposed would be proportionate and appropriate to address the effects of the proposed development. The proposal would not be harmful to the operation of the local road network and accords with Policy

[15] 2.4 by 59m visibility splay.

CP7 in so far as it maintains the capacity, efficiency and safety of the road network, whilst minimising as far as practical the adverse impact of transport on the community and town centre. Similarly, the proposal would accord with paragraph 111 of the Framework in so far as it would not lead to an unacceptable impact on highway safety or lead to severe residual cumulative impacts on the road network.

Other matters

65. Air quality is a concern of many residents and Yvonne Fovargue, the local M.P. There is an air quality management zone 300m to the northeast. However, the Appellant submitted a study quantifying the existing situation and the air borne emissions from construction activity and traffic resulting from the operational development, at various receptor points in the area including the through roads in the town centre. The study showed that effects of the proposal would not be significant. This was considered by the Council's environmental health officer who had no objection and I similarly concur.

66. Local residents and the local M.P. also have concern about noise disturbance. A noise impact assessment was submitted at the application stage, to consider the effect on the living conditions of nearby residents. In accordance with its recommendations acoustic fencing is proposed around the edge of the development where it borders residential properties and noise limits on the boundaries are also suggested in terms of a condition. The land use and building heights parameters plan also shows an area of landscaping between the development and the rear gardens, which would provide separation. The Council had no objection on this aspect, and I similarly concur.

67. KAG and local residents referred to the loss of part of a coppice inside the eastern boundary of the appeal site. These are mixed species and immature, which the submitted Preliminary Arboriculture Impact Assessment categorises[16] these trees as largely C and U values, the lowest ratings. Some B valued trees would be lost but these are few and are away from public view. Part of the coppice would be retained and reinforced/replanted to form a 'robust screen' as part of the managed landscaped boundary around the site as shown on the parameters plan[17]. The above assessment identifies some trees have structural issues and there are others with ash dieback. The Council had no objection to the proposed tree removal, and I similarly concur.

68. Local residents also express concern about the effect on ecology. An ecological assessment has been submitted which did not find notable species or habitat. In addition, a safeguarding condition for final surveys prior to development is suggested and areas of landscaping are available for any potential mitigation. The proposal also makes additional provision for off-site biodiversity improvements to ensure that an overall biodiversity gain would be achieved. Accordingly, I find that the proposal would not be harmful.

[16] Criteria provided in BS 5837:2012
[17] Notation in landscape strategy proposals. The landscaped area is shown in the land use and building heights parameters plan for consideration at this stage.

69. Several objections have been made about the loss of opportunities for dog walking and recreation use, which has health and well-being benefits for local residents. However, with the exception of peripheral footpaths which would be maintained, there are no public rights of access across the site.

70. There is also comment about the potential impact on the landscape. The new buildings would be located within sight of the adjacent existing development on three sides and would appear part of the settlement. On the open (east side) the main focus for views is towards the open countryside rather than the appeal site. Consequently, in principle the presence of buildings would not harm the landscape and their design and landscaping would be subject of consideration at the reserved matters stage.

71. Comments have been made about inadequate parking provision however the layout at this stage is indicative only and the Council's standards would need to be considered latterly in the detailed layouts at reserved matters stages[18]. Flooding is also raised but the site is within Zone 1 which is the lowest area of risk. Surface water run-off could be suitably attenuated so that there is no significant risk to the surrounding area.

Planning Obligation

72. The 2010 Community Infrastructure Levy Regulations (CIL) and Paragraph 57 of the Framework, provide the tests for planning obligations. They should only be sought where they are: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

73. The legal agreement has a blue pencil clause[19] for an offsite highway contribution whereby that can be struck out if I am not so minded in terms of the above tests.

74. At the application stage, it was agreed that the Section 106 agreement would provide funding for additional road markings at junction 24 of the M6 to help direct traffic and improve flow. Subsequently the Tritax Symmetry Ltd proposal[20] was allowed and made such provision, so this was no longer required from this proposal. The Council sought to instead seek a £227,500 'Off site Highways Contribution' for works elsewhere. The Appellant argued at the Inquiry that such measures are not compatible with the CIL tests.

75. The CIL Compliance Statement submitted 1 February 2022 sets out the 'Off site Highways Contribution'. This includes greening the town centre which would not be related to congestion. In addition, the other potential measures include a review of TRO[21], signage and road marking, pavement build outs and pedestrian improvements which were not clearly demonstrated to be needed for safety as a result of this proposal and I have found that the proposal would not significantly exacerbate congestion. Accordingly, I do not find that the 'Off Site Highways Contribution'[22] meets the CIL regulations in that it is not necessary or reasonably related to the proposal.

[18] Paragraph 4.4.1 of the Transport Assessment
[19] A blue pencil clause allows certain provision(s) in an agreement to be struck out whilst other provision(s) may be found to be enforceable.
[20] A/18/85947 and APP/V4250/V/20/3253242
[21] Traffic Regulation Order
[22] Schedule 2 contributions clause 3

76. Whilst some biodiversity measures would be achieved on site, they would be supplemented by provision of £125,000 towards ecological works/measures at the nearby Westwood Flash SBI to allow an overall positive biodiversity net gain. This would meet the requirements of paragraph 180 of the Framework and Policy CP12. Other contributions of £10,000 for improvements to the existing right of way to the southwest of the appeal site, £2,500 for travel plan monitoring, £10,000 bus stop improvements on Bolton Road would promote non-vehicular access to the employment as supported by paragraph 8 of the Framework and Policy CP7. I therefore conclude these provisions would meet the CIL tests: being necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.

77. The works to signalise Bolton Road/Golborne Road junction are suggested as a condition, which I consider latterly.

Other considerations

78. Paragraph 148 of the Framework requires that substantial weight is given to any harm to the Green Belt together with any other harm from the proposal.

79. I have found that the proposal would lead to very limited harm to the Green Belt, but that is the only harm arising.

80. The site has been identified in Policy EM1A as a primary employment land allocation since 1996 and remains allocated as such as confirmed in Wigan Replacement Unitary Development Plan Remaining Policies, April 2006. It is clear that access cannot be found from any other location and given the delay of nearly 30 years, there is a pressing need for a solution.

81. The Council accept that the site is free of fundamental constraints to prevent development, if this new access arrangement is allowed. The Appellant foresees implementation would be expeditious.

82. The Council's Monitoring Report (AMR)[23], shows it is very short of employment land provision which threatens its growth and economic prospects. Policy CP5 commits to make provision for around 200 hectares of new employment land to meet needs to 2026, equating to around 13.33 hectares per annum. However, implementation has been significantly below this with only 24.65 hectares developed during the period 1 April 2011 to 31 March 2022, equating to just 2.24 hectares per year.

83. The table at Figure 4.1 of the AMR shows a clear picture of meagre employment development. However, paragraph 4.4 of the AMR states 'good quality sites are quickly developed when they become available in the borough'. In addition, the Locket Road part of the allocation has been largely completed which shows the potential attractiveness of the immediate vicinity for employment development. The application details[24] show that 871 new jobs would be created on the site when fully operational and a further 281 jobs in existing supporting businesses, which even taken as a ballpark would be important for the area.

[23] Wigan Authority Monitoring Report for 2021/22, published January 2023
[24] Planning Statement paragraph 8.21 and Economic Impact Assessment paragraph 4.3

84. Based on data from the English Index of Multiple Deprivation (2019)[25], the environs of the appeal site are one of the top 30% most deprived areas nationally, whilst neighbourhoods close by are ranked amongst the 10% and 20%.

85. The Core Strategy considers the out commuting of the Wigan Borough residents for employment as one of its key issues, which the AMR[26] quantifies currently as 44%. The Council at the Inquiry confirmed that the shortage of employment opportunities is contributing to such out commuting. The proposal is readily accessible to an extensive residential area which would provide alternatives to such out commuting.

86. In addition, the AMR at paragraph 4.6 notes the overall loss of 76.51 hectares of employment land within Primary Employment Areas since 2011, with the vast majority being for housing. Substantive evidence of other available alternative employment sites outside the Green Belt was not presented to the Inquiry.

87. Whilst KAG questioned the need for the employment, the AMR is the Council's robustly researched document which quantifies the situation in planning terms.

88. The appeal proposal would be a substantial and deliverable contribution to the Council's employment land provision. This is important for the economic prosperity of the area; it would support the social well-being of the community and environmentally would place jobs close to residents without the reliance upon private vehicles[27]. Indeed, a condition is suggested for submission of a Training and Employment Management Plan with the aim of promoting the prospects for local people. Similarly, the submission and implementation of a Construction Training Plan would also benefit local people in construction. Both measures are supported by Policy CP5.

89. The suggested conditions include BREEAM rating and electric vehicle charging which would also be an environmental benefit by promoting low carbon development.

90. Whilst giving substantial weight to the harm to the Green Belt, I therefore find that the very considerable benefits of the proposal would clearly and demonstrably outweigh the potential harm. I therefore find that very special circumstances exist.

Planning balance and compliance with Development Plan

91. The proposal would conflict with Policy CP8 by reason of its very limited harm to the Green Belt. However, in all other respects the proposal would not be harmful. Indeed, I have found that the proposal would maintain the capacity, efficiency and safety of the road network, and so would not conflict with Policy CP7.

92. The site is allocated for employment development for which there is a proven and pressing need, in an area with acknowledged out commuting. The proposal would generate a substantial number of jobs in a location

[25] Economic Impact Assessment paragraph 4.3 and figure 2.1
[26] Page 12
[27] [redacted] Proof of Evidence Table 1: 13,519 people live within 2km

readily accessible by non-vehicular transport. Indeed, the proposal includes training opportunities for the local community and a Travel Plan. Policy CP5 supports employment development. The proposed BREEAM rating and electric charging are also benefits. I therefore find the proposal would not conflict with the Development Plan when taken as a whole.

93. Section 38(6) of The Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the plan unless material considerations indicate otherwise. This is reiterated in paragraph 2 of the Framework. Paragraph 11(c) of the Framework states that decision making means approving development proposals that accord with an up to date development plan without delay. As the proposal accords with the development plan as a whole and material considerations do not indicate otherwise, I therefore find the proposal acceptable.

Conditions

94. Paragraph 56 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions. Both parties have collaborated on the suggested conditions and are in agreement. However, the Framework is clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning, and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have assessed the suggested conditions accordingly. Pre-commencement conditions have been minimised and agreed by the main parties.

95. The condition listing the approved plans would provide clarity and certainty. The details for the Bolton Road access were submitted as part of the details for consideration at this outline stage[28]. However, the remainder of the road system has not been designed. All main parties agreed at the Inquiry that access should be a reserved matter with the Bolton Road junction details covered in the condition requiring compliance with approved plans. I concur with this approach but have prefixed the access with internal for clarity.

96. The signalisation of the Bolton Road/Goldbourne junction is suggested by a Grampian[29] condition. The PPG advises that such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission. A plan was submitted with the application showing feasibility of the works and I am advised that the works would be within the public highway and the highway authority are supportive. I therefore find that in principle the condition is necessary.

97. However as discussed at the Inquiry, the clarity of the condition is important so implementation would be ensured as this is necessary to mitigate the impact of the development. The condition as suggested[30] requiring approval of details could lead to potential delay and uncertainty which could undermine the deliverability of the access: the condition must be clear in its

[28] Part 4 application form indicate access is for consideration at this stage
[29] A condition requiring off site works, outside the Appellant's ownership, usually highway matters, prior to the development
[30] The scheme shall detail the new junction arrangements, vehicle tracking and include traffic signals and pedestrian controlled crossings within the adopted highway, plus any works that are necessitated by the development.

intention and requirement. The broad form (at 1:500 scale) of the junction has been agreed in the submitted plan and the finer details and specifications within the public highway would be a matter for the road adoption process. The condition is re-worded to simply focus on the delivery of the access.

98. The Appellant and Council agree that it is physically possible to join the existing access at Lockett Road to make a through route. Whilst this would need land outside their control and the wishes of another landowner cannot be assumed, nonetheless they recommend a condition to safeguard this potential. I find that the implementation of both accesses, if it did take place, would help the accessibility of both employment areas to the surrounding residential areas for pedestrians and cyclists and help traffic go in their preferred direction. Accordingly, I impose this condition.

99. The suggested condition to require access, manoeuvring and parking is unnecessary as those would be shown in the reserved matters and implementation would be expected as a matter of course for the user's own benefit. This is not imposed.

100. A condition to require the submission of the details of external lighting would ensure that light pollution is limited to that necessary for the safety of highway users as well as security around buildings, whilst minimising spillage to the surrounding area and disturbance to wildlife. The suggested condition is re-worded for simplicity.

101. The archaeology condition would ensure that any potential remains on this greenfield site are properly recorded and the results are available to be appreciated by the public.

102. The travel plan condition would require submission of details for each unit. It would be based on the Travel Plan Framework which seeks to promote car sharing, walking and cycling and bus use. This would help maximise the accessibility of the site to encourage low carbon travel to work. This is re-worded to require timely implementation for each particular building.

103. The condition requiring submission and implementation of Construction Training and Employment Management Plans would help employment and skills of local people which would support the social and economic wellbeing of the local community. As I found earlier these would be a material benefit of the proposal in accordance with Policy CP5. The requirement is re-worded to require timely implementation for each particular building.

104. A condition requires the reserved matters applications for layout and landscaping include a biodiversity strategy and targets. The specific reference to the DEFRA metric is amended to allow for future update. Similarly, accepted by all parties, the condition requires wildlife surveys to provide a check before development to avoid any harm. This is re-worded to ensure that the surveys are timely and undertaken to an approved methodology. Mitigation if needed could be arranged within the landscaping areas.

105. The condition confirming the reserved matters submissions includes landscaping. An additional condition refers to the management and retention of the landscaped edge around the site as shown on the land use parameters

plan. The suggested wording is amended to require this area to be the subject of a prompt reserved matters application detailing the landscaping works, implemented to an approved timetable so as to soften the development. Tree retention within this area is also included. A condition is foreseen in the Preliminary Arboriculture Impact Assessment for the submission and approval of the arboricultural management and protection measures, I concur that its measures would be needed to help the health and contribution of the trees to the site and surroundings. This condition includes tree protection measures, so the suggested additional condition is unnecessary. The measures need to be in place at the outset of development hence the pre-commencement trigger.

106. A condition on the compliance with the height parameter plan is necessary to confirm this consideration at this outline stage and in the interests of the appearance of the development. Equally a condition to agree existing and proposed ground levels is necessary.

107. Two conditions are suggested for measures to protect the living standards of residents during construction. I find that they are necessary to minimise the disturbance but have combined them in one requiring the submission and approval of a Construction Method Statement. Similarly, as I found earlier the provision of the acoustic fence and noise limits would be necessary to maintain living conditions of local residents. Operational conditions on the management of dust, fumes and odours are also necessary to ensure these potential nuisances are minimised to respect the nearby residents. The condition on Japanese Knotweed is necessary to avoid risk of spreading a potential invasive problem.

108. The condition on drainage plans would ensure that provision is made for this essential need and the prevention of problems in the vicinity. The condition is worded as pre-commencement as other matters such as landscaping could constrain opportunities. Similarly, a condition on the use of SUDS is necessary in the interest of efficient water management.

109. The conditions requiring provision of cycle parking facilities and cycle/pedestrian connectivity would encourage low carbon travel to the development. Similarly, the submission of the Electric Vehicle Infrastructure Strategy would ensure that adequate provision is made for employees, visitors and delivery vehicles. The condition requiring compliance with the submitted energy efficiency measures is similarly needed in respect of the wider low carbon environment. The BREEAM requirement is included in the same condition as a compliance matter rather than submission of certification to ease administration.

110. The inclusion of crime prevention measures in the reserved matters proposal would help the safety and security of people, property and the community. The conditions on coal mining and land contamination would ensure that the potential is investigated and if necessary remediated so that there are no resulting problems for the site and surroundings.

Conclusion

111. I therefore conclude that the appeal should be allowed subject to the conditions in the conditions annexe below and the provisions of the section 106 agreement but without the 'Off Site Highways Contribution' in Schedule 2 clause 3.

[redacted]

INSPECTOR

List of appearances

For the Council

[redacted] Kings Chambers

[redacted] Director WSP

[redacted] Principal Planning Officer Wigan BC

For the Appellant

[redacted] Kings Chambers

[redacted] Kings Chambers

[redacted] DTA Consultants

[redacted] Partner Gerald Eve

Rule 6 Party: Keep Ashton Green

[redacted] resident

[redacted] local resident

[redacted] Branch Secretary Wigan Trades Council

Interested parties (local residents)

[redacted]

For the planning obligations round table

[redacted] Group Lawyer Wigan Council

[redacted] Managing Associate Freemans

Documents submitted to the Inquiry

ID1 Appearance list for the appellant

ID2 Appellant opening statement

ID3 Council opening statement

ID4 KAG opening Statement

ID5 Additional working for condition 24 noise

ID6 Council CIL compliance statement

ID 7 list of amended planning conditions

ID 8 Council list of appearances

ID 9 Council closing statement

ID10 KAG closing statement

ID10 Appellant closing statement.

Conditions annexe

1. Applications for all reserved matters shall be submitted to the Local Planning Authority within 3 years of the date of this planning permission. The development hereby approved shall commence within 2 years of the last reserved matters approval.

2. The development hereby approved shall be carried out in accordance with the details indicated on plan references:

- Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1
- Site Access - Priority Junction Drawing No 19479-02-GA Rev C
- Site Access - Priority Junction Vehicle Tracking Drawing No 19479-02-TRACK Rev D
- Land Use and Building Height Parameters Plan - B9812-AEW-SI-XX-DR-A-0505 Rev P6
- Proposed Substation Location Plan B9812-AEW-SI-XX-DR-A-0046 Rev P1
- Proposed Sub Station B9812-AEW-XX-XX-DR-A-0045 Rev P2
- Travel Plan Framework - Ref. 19479-04a
- Proposed Energy and Sustainability Requirements and Strategy (30/03/2021 – 6117/17/05)

3. Prior to the commencement of any use hereby permitted on the appeal site, the Bolton Road/Golborne Road junction shall be amended in accordance with plan reference 19479-05-GA Rev E together with signalised pedestrian controlled crossings in accordance with details submitted to and approved by the Local Planning Authority beforehand.

4. Prior to the commencement of any part of the development hereby approved, approval shall be obtained from the Local Planning Authority with respect to the following matters: internal access, scale, appearance, layout and landscaping.

5. Any reserved matters application submitted in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which shall include:

- Detailed plans to scale, including levels (to an agreed off site datum) showing a continuation of the estate road beyond the details shown on plan reference - Site Access - Priority Junction Drawing No 19479-02-GA Rev C, including footways and cycle routes within the site, including a connection between the development site indicated on plan reference Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1 and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.
- the continuation of the footway and cycle connection to the adjacent footpath (number 32) which runs along the southwest boundary of the site;
- timing of the construction and implementation of the roads and connections in full, relevant to each reserved matters application.

6. Any reserved matters application in respect of scale shall be limited to those heights detailed on plan reference: Land Use and Building Height Parameters Plan - B9812-AEW-SI-XX-DR-A-0505 Rev P6.

7. Any reserved matters application submitted in respect of layout or scale shall be accompanied by the following for that part of the application site:

(i) a full site survey showing the datum point used to calibrate the site levels, levels along all external site boundaries, and levels across the site at regular intervals, and
(ii) full details of the finished floor levels of all buildings and hard surfaces.

8. Any reserved matters application submitted in respect of layout, scale or appearance, shall include a Crime Impact Statement (CIS). The CIS should include details of security measures, design features and other measures that aim to prevent crime.

9. Any reserved matters application in respect of layout shall include details of secure and covered cycle parking facilities associated with that specific unit on the site. The facilities shall be maintained as approved thereafter.

10. Any reserved matters application in respect of layout or landscaping shall include a biodiversity strategy, implementation and management plan to ensure a total of 17.22 on-site based habitat units, plus a minimum of 5 hedgerow units, when calculated against the site's baseline position using the latest DEFRA Metric, are achieved within the site as shown on plan reference – Location Plan B9812-AEW-SI-XX-DR-A-501 Rev P1. The strategy will demonstrate that all reasonable opportunities for the planting of hedgerow and biodiversity connections within the reserved matters application site boundary have been assessed.

11. Prior to the commencement of development, the following shall be undertaken by a qualified ecologist to a methodology and timetable submitted to and approved by the Local Planning Authority beforehand:

- An updated Ecological Assessment
- Bat Activity Survey
- Bird Survey and wintering birds' assessment
- An Amphibian Assessment
- A bird nest, bat commuting and amphibian habitat mitigation strategy

The above including the results from the surveys shall be submitted to the Local Planning Authority for approval within one month of completion, together with any mitigation measures including a timetable for any their implementation. The development shall thereafter be constructed in accordance with the approved mitigation measures to the approved timetable for their implementation.

12. Within 2 years of the first submission of reserved matters, a reserved matters application for landscaping details shall be submitted for the area coloured green and annotated for 'proposed landscaping, ecological mitigation, site reprofiling, surface water drainage, access roads and infrastructure' in the 'Land Use and Building Height Parameters Plan B9812-AEW-SI-XX-DR-A-0505 Rev P6'. It shall include: full details of hard and soft landscaping, retention of existing trees, and details maintenance and management, together with a timetable to implement each of the above. The above shall be implemented in accordance with the approved timetable and maintained as approved thereafter.

13. Prior to the commencement of the development, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, an Arboriculture Method Statement (AMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The AMS shall cover, but not exclusively, the following matters:
- Identify the order in which development operations will be undertaken, including tree works (removal and pruning) and construction programmes;
- Arboricultural constraints showing the relationship between the proposed development, the root protection areas and crown spreads;
- Specific tree protection and special procedures and materials where development is within the sphere of influence of trees and planting;
- Identify details of tree protection measures, including how the trees to be retained shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause, which shall be achieved by the erection of 2.3 metre high fencing using vertical and horizontal scaffolding poles, or other stout fencing with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopies, and that these measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas;
- Full details of all services to the development units, including; electric, gas, water and drainage, shown on accurate scale drawings outside the root protection zone(s); and
- A list of contact details during development.

The development shall be fully undertaken in full accordance with the approved AMS.

14. Prior to the commencement of development, notwithstanding the details within the recommendations of the Flood Risk Assessment & Drainage Statement Title

Meridian 6, Version Rev B, full details of the Sustainable Drainage System (SUDS), including;

- Detailed arrangements for the methods to attenuate and discharge surface water from the site;
- Detailed scale plans of the SUDs pond;
- Micro drainage reports and flood route plan;
- SUDS maintenance plan;
- Detailed plans of required culvert;
- Details of additional storage for geocellular storage vessel;
- Details of proposed pollution control measures for surface water runoff from car parks;
- Proposals for conveying water of existing watercourses (drains, ditches) on site shall be submitted to and approved in writing by the Local Planning Authority.
-Management and maintenance details.

The development shall be implemented in full accordance with the agreed details only.

15. Prior to the commencement of any part of the development hereby approved, details of a foul drainage system for the development site shall be submitted to, and approved in writing by, the Local Planning Authority. Individual units shall not be occupied or brought into use until the unit has been connected to the completed approved foul drainage scheme.

16. No development shall commence until;

a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

17. Prior to the occupation of the development (or any phase), or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

18. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:
1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:

i - archaeological evaluation trenching
ii - informed by the above, more detailed targeted excavation (subject of a new WSI).

2. A programme for post investigation assessment to include:
i - analysis of the site investigations records and finds
ii - production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

19. Prior to the commencement of development hereby approved by the Local Planning Authority, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2014"), vibration impacts, mud on the road, the storage of building materials, equipment and plant, and the placement of site cabins, site offices and storage containers. The approved CEMP shall be implemented before the construction works are commenced and shall be adhered to for the duration of the construction works.

20. Prior to the commencement of any part of the development hereby approved (excluding site setup, removal of trees and vegetation across the site, and construction of the junction, access road and drainage pond in accordance with drawing references: C1238-S38-001 Rev B and 19479-02c-GA Rev C), an updated investigation and assessment of the nature and extent of any contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify any remedial measures required to deal with any hazards identified and a Remediation Strategy, including remediation options appraisal, verification plan, and a Gas Protection Design Report, shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy and remedial measures shall be implemented in full and a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before the occupation of any of the buildings hereby permitted.

21. The development hereby approved shall only operate in accordance with the following noise parameters:

Operational Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (unless stated otherwise), shall not exceed the following cumulative levels from operational noise from Units at the development site, at the following nearest identified noise sensitive properties to the site.

R1 – Lily Farm Croft
Monday to Sunday 07:00 to 23:00 37dBA
Monday to Sunday 23:00 to 07:00 34dBA

R2 – Bolton Road
Monday to Sunday 07:00 to 23:00 40dBA
Monday to Sunday 23:00 to 07:00 37dBA

R3 – Walter Street
Monday to Sunday 07:00 to 23:00 39dBA
Monday to Sunday 23:00 to 07:00 36dBA

R4 – Woods Lane
Monday to Sunday 07:00 to 23:00 35dBA
Monday to Sunday 23:00 to 07:00 33dBA

Fixed Plant Noise

The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured in free field, shall not exceed the following cumulative levels from fixed plant noise from the development site, at the following nearest identified noise sensitive properties to the site.

R1 – Lily Farm Croft
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R2 – Bolton Road
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R3 – Walter Street
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

R4 – Woods Lane
Monday to Sunday 07:00 to 23:00 28dBA
Monday to Sunday 23:00 to 07:00 25dBA

22. Prior to the commencement of the construction of any building, a close boarded timber fence to the height between 2.5m to 4m high, as shown in Figure 4 and specified in s5.4 of the e3p Noise Impact Assessment reference 50-198-R1-4 dated October 2021 shall be implemented in full. Once implemented, the fence shall be retained as such thereafter.

23. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of fumes and odours (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

24. The use of the development hereby approved (or any part of the development where individual units or phases are defined on the approved plans) shall not commence until a scheme for the extraction of dust (where relevant) has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be retained and maintained thereafter.

25. No development shall take place until a Construction Training and Employment Management Plan (CT&EMP) relevant to that phase has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP(s) and any amendments to the CT&EMP(s) shall be agreed in writing with the Local Planning Authority.

26. Prior to first occupation of each building a Training and Employment Management Plan (T&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority for that building. The T&EMP(s) will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be occupied in accordance with the agreed T&EMP(s) and any amendments to the T&EMP(s) shall be agreed in writing with the Local Planning Authority.

27. Prior to first use of the development, an Electric Vehicle Infrastructure Strategy and Implementation Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the number, location and maintenance of electric vehicle charging points for each building, amounting to a minimum of 5% of the total car parking provision within the development. The electric vehicle charging points shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in an operational condition thereafter. The Implementation Plan shall provide details of how the future installation of electric charging points associated

with that phase could occur in parking or servicing areas not provided with charging points from the outset.

28. No external lighting shall be installed other than that submitted to and approved in accordance with the details submitted to and approved by the Local Planning Authority beforehand. The lighting shall thereafter be maintained and operated in accordance with the approved details.

29. Prior to first occupation of each building, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority for that building. The Travel Plan shall detail measures to reduce the need to travel to and from the site by private transport, detail the timing of such measures and accord with the submitted Framework Travel Plan - Travel Plan Ref 19479-04a. The operation of each building shall be undertaken in accordance with the respective approved Travel Plan and shall be maintained and kept up to date at all times and shall also take into account any change in circumstances, such as a change to the occupier of the site.

30. All new buildings approved as part of any reserved matters application shall be designed and constructed in accordance with the Proposed Energy and Sustainability Requirements and Strategy (30/03/2021 – 6117/17/05) and Building Research Establishment Environmental Assessment Method (BREEAM) 2014 'Good'.

31. Prior to commencement of development other than demolition, a method statement for the removal of Japanese Knotweed from the site including a schedule of implementation, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented in full.

End of conditions

NOT FOR APPROVAL

Lockett Road

Existing Pond

Proposed Attenuation Pond

Conway Road

A58 - Bolton Road

KEY

- Application Site Boundary
- Existing Landscape
- Proposed Landscape
- Existing Planting
- Proposed Planting
- Existing Pond
- Proposed Pond
- Proposed Access Point
- Proposed Road Infrastructure
- Employment Uses
- Proposed Acoustic Fence
- Proposed Green Infrastructure Link

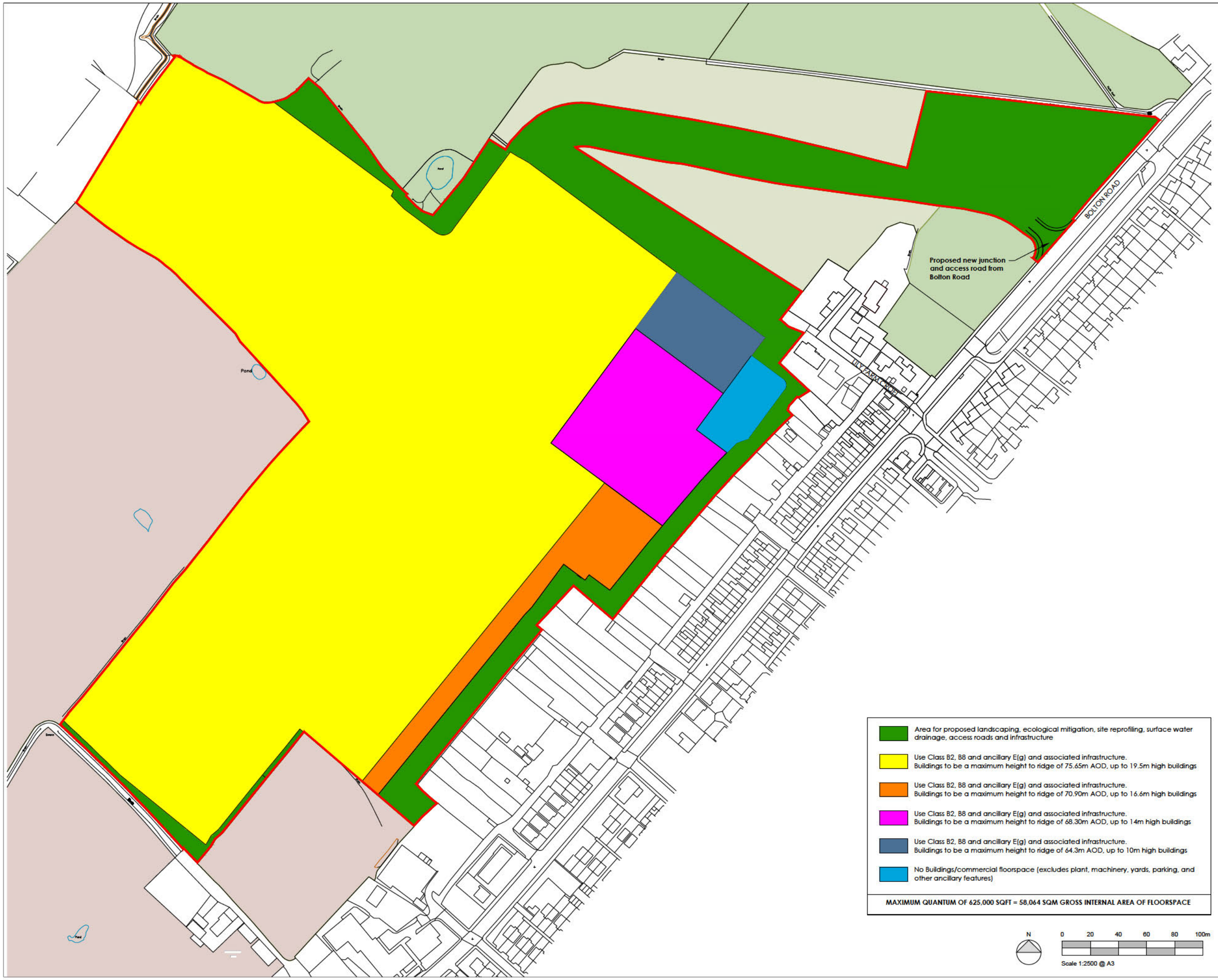
N 0 20 40 60 80 100m

Scale 1:2500

Maximum quantum of 625,000sqft = 58,064sqm Gross Internal Area of Floorspace

Meridian 6, Wigan - Illustrative Masterplan

9812-AEW-XX-XX-PR-A-0504_P6 Date: 11/05/21 Scale: 1:2500 @ A3 Drawn: MB/MC



NOTES

AEWTP029C

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- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

CDM 2015

Client notified of duties: **Yes**
Principal Designer: **Client**
Unless noted below, all known [redacted]

Rev			
P6	22/03/2022	HN	DOH
Height parameter amended, adding light and dark blue.			
P5	28/06/2021	MB	DOH
Height parameter to yellow shaded area amended.			
P4	31/03/2021	MB	DOH
Area for proposed landscaping updated			
P3	26/02/2021	DOH	AS
Land use and parameters added to a key			
P2	03/12/2020	DOH	AS
Landscape connectivity shown to eastern boundary. Lower height parameter zones shown in magenta and orange			
P1	24/11/2020	DOH	AS
Initial issue			

REV	Date	Drawn by: -	Checked by: -

Status: S2 — Purpose of Issue: For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Land Use and Building Height Parameters Plan**

date: 24/11/2020 drawn: DOH
scale@A3: 1:2500 checked: AS

Rev: **P6**

Job No: **B9812-AEW-SI-XX-DR-A-0505**

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N

0 40 80 120 160 200m

Scale 1:5000 @ A3

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CDM 2015

Client notified of duties:

Principal Designer:

Unless noted below, all known hazards have been highlighted on the drawing:

P1	28/07/2021	MC	DOH
Initial Issue			

REV	Date	Drawn by: -	Checked by: -

Status	Purpose of Issue
S2	For Approval

drawing stage: **Stage 2 Concept Design**

client: **Glenbrook Industrial Ltd**

project: **Meridian 6**
South Lancs Industrial Estate
Ashton-in-Makerfield, Wigan

drawing title: **Extended Location Plan**

date	28/07/2021	drawn	MC
scale@A3	1:5000	checked	DOH

Rev P1

Job No B9812-AEW-SI-XX-DR-A-0047

S C m

AEW

Notes:

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Work and materials must comply with the current building regulations and codes of practice and be read in conjunction with building specifications and other sub-contractors information. All materials are to be installed in strict accordance with the recommmendations of the manufacturers.

NORTH

HEIGHT ZONE MAXIMUM 22m (FFL : 54.785 +/- 0.5m)

PRIMARY ACCESS

PROPCSED ROADWAY

LANDSCAPING AND SUDS

ADJACENT SITE GRANTED OUTLINE PLANNING

Rev	Description	By	Chkd	Date
F	SCALE BAR INCLUDED			
E	RED LINE INCLUDED	JB		18.03.24
D	GENERAL UPDATES	JB		07.03.24
C	RED LINE UPDATED	JB		04.03.24
B	RED LINE UPDATED	JW		27.02.24
A	UPDATE TO SUIT COMMENTS	JB	JW	30.01.24

Client

CADDICK DEVELOPMENTS

Project Title

ASHTON PARK

Drawing Title

PARAMETERS

KPP ARCHITECTS
Lodge House
10 Town Street
Horsforth, Leeds LS184RJ
T : [redacted]
E : [redacted]
W : www.kpp-leeds.co.uk

Scale	Size	Date	Drawn	Checked
1:500	A0	JAN'24	JB	JW

Status

PLANNING

KPP Job No	Rev
2387	F

Number

2005

0m 25m 50m 75m 100m

From: [redacted]
To: [redacted]
Subject: FW: Ashton Park - application ref: A/24/97381/OUTMAJ
Date: 26 November 2024 16:19:00
Attachments: image001.png
10833.001 Ashton Park BNG TN (002)_ISSUE_20112024.pdf
3578.TN01 - Transport Technical Note 201124.pdf
241002 Land North of Mosley Common DN.pdf

Hi [redacted]
I refer to the above planning application. The agent has provided a response on the Highway Matters for Ashton Park. A Transport Technical Note is also provided. The agent is requesting the approval of the Parameters Plan which I will not be able to do, should we wish to adjoin the two sites, as per the terminology of the Planning Inspectors condition, which reads along the north west boundary, not in the corner. The agent and report suggests there is no highway reason for the connection, I would disagree if we are to prioritise pedestrian movements and encourage sustainable / good planned development, and would suggest that securing the route on these grounds may be better than on highway movement, but it can be added into any reasoning.
I am not sure if their Transport Officer has backtracked on the condition, but I don't see a planning reason why we cannot include the condition to secure a sustainable route through the two sites. Is it worth another discussion?
Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
01942 489138
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 20 November 2024 11:48
To: [redacted]
Cc: [redacted]
(Planning)
Subject: Ashton Park - application ref: A/24/97381/OUTMAJ

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Hi [redacted]
[redacted] our recent telephone call I am writing to update our understanding of matters

relating to the recent consultation responses:

Highways

[redacted] of Eddisons has spoken to [redacted] and, by reference to the latest consultation response from highways has agreed the following:

Matters that can be conditioned:

- The number of car parking spaces to be provided as part of the RM submission
- Improvements (SCOOT) to the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction
- Provision of a pedestrian access gate at the south-western corner of the site to the existing PRoW to Woods Lane

Link Road:

- The highways impact of the proposed development is agreed – impacts are not 'severe' and do not give rise to a reason for refusal
- The 'link road' is not necessary to make the development acceptable in highways terms
- The applicant is willing to safeguard the line of a future road that would provide a link to the adjacent development and to the phase 2 land to the west (this is shown on the illustrative masterplan); and ensure that there is pedestrian / cycle access between the developments.
- Highways officers would prefer to see a condition imposed that would require any reserved matters application submitted in respect of layout to be accompanied by a connectivity and implementation plan, including details of a connection between the development site and the remaining Primary Employment Area Land allocation. It is Eddison's view that this is not justified on highways grounds.

I attach a copy of the Technical Note prepared by Eddisons confirming their discussions with the highways officer.

As you and I discussed, it is clear that the only area of disagreement now existing between Eddisons and the highway authority is whether it is necessary to impose a condition relating to the link road (as per the final bullet point above). In addition to Eddison's technical reasons as summarised above, I reiterated that there is no planning justification for the provision of a link road – it is not required by any policies or development briefs that have been adopted by the council; our parameters plan (for which we seek approval) does not preclude a future link road coming forward and shows where a connection is possible. Notwithstanding, our position is that a condition is unnecessary, and the link road issue alone is not sufficient in the planning balance to refuse the application.

EHO Comments

The EHOs have provided comments on matters relating to noise and air quality. In each case, they do not raise any objections to the proposals subject to the imposition of various conditions. Our technical team has reviewed those suggested conditions and comment as follows:

Noise

CONG5—The limits proposed for both operational noise and fixed plant are the calculated impact rather than the proposed limit. This means the condition is more onerous than is necessary to protect amenity and the lower limits suggested by the EHO are unreasonable. A limit compared to the background noise levels referenced in the submitted Noise Assessment Report is more appropriate. The proposed amendments to the condition

(reflecting the submitted Noise Report) are set out below:

> *Operational noise*
> *The Rating Level as defined in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, measured at the façade (in free field), shall not exceed the following cumulative levels from operational noise from the development site, at the nearest noise sensitive properties to the site.*
> *• Daytime Monday to Sunday 07:00 to 23:00 36dBA 38dB(A)*
> *• Night time Monday to Sunday 23:00 to 07:00 29dBA 30 dB(A)*

Air Quality

Some of the suggested draft conditions are unnecessary given that this information has already been included as part of the application submission. Further, the suggested wording appears to be 'standard' and does not necessary reflect the application submission. See detailed comments below:

- In the suggested wording for Condition CONG1 (CEMP), under issue 'emissions to air', the wording suggests *"The scheme shall include details for the methods to be employed to control and monitor [...] dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction – 2024 version 2.2"*. The submitted AQA already provides this information and so this part of the condition is clearly unnecessary. Once the final CEMP is prepared, the stated measures could simply be represented as part of the eventual CEMP to be submitted. Alternatively, it may be more appropriate to amend the wording to state: *"dust mitigation measures as identified within SLR report reference: 402.065112.00001 rev 4.0 dated 28/03/2024 shall be implemented throughout the duration of the construction phase unless otherwise agreed in writing"*.
- Again, under the issue 'air quality', there's a recommended but un-named/numbered condition for which wording starts with reading *"In accordance with the Council's Development and Air Quality SPD (2021) [...]"* we would suggest that the front end of that condition is amended for consistency with the submitted AQA report as follows:

  > *In accordance with the Council's Development and Air Quality SPD (2021), no development shall be commenced until detail on the electric vehicle charging infrastructure is submitted to and approved in writing by the local planning authority. The scheme shall include the following measures:*

- There is no wording / detail provided under the CONG9 (Extraction of fumes and odours) or CONG11 (Extraction of dust) headings. It is unclear whether the EHO is seeking for such conditions to be included given that there are no source of fume / odours / dust on the site where any such conditions would typically relate. We would be grateful if you could clarify and, if necessary provide copies of CONG9 and CONG11 for our consideration.

BNG

We have given careful consideration to the points you have raised relating to BNG and, in particular, the challenges you perceive in imposing suitably worded planning conditions that ensure the BNG hierarchy is addressed at the RM stage and adequate provision is made for monitoring of any BNG that is provided within the application site.

In order to assist, TEP have produced a Technical Note to the BNG Report which confirms

that:

- The approach adopted by TEP in preparing the BNG report follows an appropriate methodology that reflects the hierarchical approach
- GMEU are satisfied with that approach, and have confirmed that the final BNG assessment will be addressed at RM stage
- Appropriate planning conditions can be imposed to ensure that the BNG assessment at RM stage also follows the hierarchical approach to mitigation that:
    - Maximises on-site provision in the first instance;
    - Before considering other land within the applicant's ownership;
    - And then the purchase of off-site credits
- Wigan BC has recently approved an outline application (all matters except access reserved for future condition) with a range of conditions to secure 10% BNG in accordance with that approach – this includes a requirement for a 30-year management and monitoring plan. A copy of that decision notice is attached to TEP's Technical Note, which also includes a recommendation regarding an amendment to one of those conditions.

Subject to TEP's recommended amendments, the conditions that the Council has recently applied to other developments in the borough to secure BNG can clearly also be applied to this outline application.

I trust that the above is useful in summarising the current position and that you are now able to provide a draft list of conditions for our consideration and agreement – I note you indicated that you will require 5-working days to complete and so I look forward to receiving that list w/c 25th November. In the meantime, if you have any queries or wish to discuss further then please don't hesitate to contact me.

Kind regards

[redacted]

Director

[redacted]

Please note - my normal working hours are 8:30 – 5:30 Tues - Friday

[redacted]

www.ryanandmay.co.uk

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TECHNICAL NOTE

Reference:	10833.001
Version:	1.0
Date:	18/11/24
Author:	PJB
Approved:	SAR/PJB

THE ENVIRONMENT PARTNERSHIP

[redacted]

Other Offices:

Market Harborough I Gateshead I London I Cornwall

PLANNING I DESIGN I ENVIRONMENT

Re: Application A/24/97381/OUTMAJ

Ashton Park, Ashton-in-Makerfield - Biodiversity Net Gain (BNG) Assessment Mitigation Strategy.

Introduction

The Environment Partnership (TEP) were originally commissioned by Caddick Developments and [redacted] in 2023 to undertake a Biodiversity Net Gain (BNG) assessment[1] of a proposed outline planning application at Ashton Park, off Lockett Road, Ashton-in-Makerfield (Application number A/24/97381/OUTMAJ) for the construction of B2/B8 warehouse accommodation of up to 33,445sqm (360,000sqft). The BNG report should be read in conjunction with this technical note.

Under the new mandatory biodiversity net gain rules, a minimum net gain of 10% is required on the final development. Noting the application is an outline application, based on the current indicative masterplan as submitted, which may be subject to change at a reserved matters stage, to reach this target the assessment determined that an additional 2.29 Habitat Units would be required. Based on the current assessment, biodiversity net gain is unlikely to be achieved within the application area. However, it is possible that the biodiversity unit deficit could be reduced further through careful design and landscaping considerations all of which can be dealt with at the detailed application stage.

[1] Biodiversity Net Gain Assessment – Ref 9688.02.004 TEP 2024

TEP were subsequently commissioned to undertake a preliminary landscape design masterplan to assess if the 10% net gain on site can be attained[2].

The masterplan identified that 10% could not be attained on-site based on the indicative development footprint as submitted alone, showing a deficit of -0.62 Habitat Units, however a gain of 2.01 Linear Hedgerow Units and 0.09 of ditch habitat could be achieved. Trading rules could also not be satisfied based on the post development masterplan from the loss of low distinctiveness habitats (arable and modified grassland) which cannot be replaced.

This approach has been standard practice for TEP since 2019 with regards to BNG feasibility assessment where the baseline gain or deficit is calculated using the client's masterplan. This allows the applicant opportunities to review the post development masterplan and offsite compensation options (if required) prior to full Reserved Matters (RM) application and design freeze.

Comments received from Greater Manchester Ecology Unit (GMEU Consultee Comments 28.06.24) agree that the shortfall does not give rise to a refusal at this stage and that revisions to the final on-site provision and off-site receptor or habitat bank can be found at the RM stage.

An example of this in practice is an outline application to Wigan Planning Authority (A/23/95155/OUTMES) for multi-phased residential development and supporting infrastructure granted on 2 October 2024. An initial BNG assessment was undertaken by TEP for the outline permission based upon the client's illustrative masterplan. The application was subsequently approved, with all matters other than access reserved, under conditions that each phase of development should incorporate a detailed on-site/off-site biodiversity enhancement and detailed 30-year monitoring plan. A certificate was also required confirming agreement to an off-site unit provider (conditions 31 – 33). A copy of the Council's decision notice is attached for reference.

Having reviewed that decision notice, we consider that condition 31 is ill-framed and should, in fact, relate to the submission and approval of an Ecological Precautionary Working Method Statement to inform the Construction Environmental Management Plan (condition 5). Our suggested alternative wording for condition 31 is set out below:

> ***Ecological Precautionary Working Method Statement***
>
> *Prior to the commencement of development, a written ecological Precautionary Working Method Statement (PWMS) for the protection of species and habitats on site as identified*

[2] Landscape Master Plan D10269.001B – TEP 2024

within the Ecological Assessment shall be submitted to and approved by the Local Planning Authority. The PWMS should be included as ecological input to inform the contractors environmental method statement (CEMP) to ensure reasonable avoidance measures, where required, are put in place prior to site clearance and for the duration of the construction works.

Mitigation Strategy

A biodiversity mitigation strategy should be developed to attempt the meet the shortfall in trading rules and achieve a net gain. Once units on-site have been maximised, off-site mitigation should be considered. Land owned by the client, may be used to provide offsite units (outside of the application area) to deliver biodiversity net gain and to endeavour to satisfy the trading rules that on-site (within the application area) landscaping cannot.

Following the BNG mitigation hierarchy, if the maximisation of gains on-site and the use of off-site mitigation still does not generate enough biodiversity units to achieve a 10% net gain, the purchase of units, where required, can be finally considered. Discussions with the LPA will take place with the intention of securing the shortfall through the purchase of biodiversity credits, which will be used for enhancement and creation of new and existing habitat/wildlife sites to increase the biodiverse connectivity and ecological corridors within the authority. Other private habitat banks and/or land brokers are also available to sell units for the Scheme to achieve 10% net gain.

To fully meet BNG requirements, a detailed 30-year management and monitoring plan will be necessary (HMMP). It is assumed that this information can be committed to using a suitably worded condition along the lines of condition 32 of the attached decision notice.

The plan will need to include management prescriptions which aim to achieve the specific target condition for each habitat, based on the Statutory Biodiversity Metric condition criteria. The plan will also need to include the methods and reporting processes to be used for monitoring the success of habitat enhancement and creation along with options for remedial intervention where needed if a habitat is not achieving its targeted condition. Roles and responsibilities, along with financial and legal requirements should also be included.

Attached: 241002 Land North of Mosley Common DN

Form P2A
Town and Country Planning Act 1990

Wigan Council

Outline Planning Permission

Name and Address of Applicant

[redacted]

Name and Address of Agent (if any)

[redacted]

Part I – Particulars of Application

Date of Application: 21st February 2023

Application No: A/23/95155/OUTMES

Particulars and Location of Development:

Outline planning application on land to the South of the guided busway ('Southern Parcel') for a multi-phased, severable residential development (Use Class C3), with all matters reserved apart from the main access point into the site from Bridgewater Road requiring the demolition of 15 Bridgewater Road, land to facilitate the expansion of St Johns Primary School, new parkland and wetland, public open space, children's play space, and provision of new and enhancements to existing footpaths and cycleways and, where applicable, the re-routing, upgrading and extension of the Public Rights of Way network

Land North Of Mosley Common South Of The Guided Busway Worsley

---

Part II - Particulars of Decision.

Wigan Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 2004 that permission has been granted for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted.

Consent is granted subject to the following conditions:

1. No phase of the development hereby approved in outline, the extent of which is defined on Plan Ref: Ref: 01941_S_08 Rev P2 (hereafter referred to as the "outline permission") shall be begun until details of all of the reserved matters for that specific phase (appearance, landscaping, layout, and scale) have been submitted to, and approved in writing by, the Local Planning Authority.

Duplicate

2. Applications for the approval of reserved matters for all phases of the outline permission must be made no later than the expiration of eight years beginning with the date of this permission; and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. Each phase of the outline permission shall thereafter be implemented in accordance with the approved reserved matters in respect of that phase.

3. The outline development hereby approved, and all subsequent reserved matters applications for any phase of the development shall accord with the following approved plans and documents:

   - Location Plan (Southern Application Boundary - Outline) Ref: 01941_S_08 Rev P2
   - Design Code Ref: 10941 Final P2, dated 06.11.2023
   - Parameters Plan (South) Access and Movement Ref: 01941_PP_S01 Rev P2
   - Parameter Plan (South) Land Use and Green Infrastructure Ref: 01941_PP_S02 Rev P2
   - Parameter Plan Building Heights (South) Ref: 01941_PP_S03 Rev P2
   - Proposed Access onto Bridgewater Road Ref: M21015-A-052

4. No more than 244 dwellings shall be constructed as part of the development hereby approved.

5. Prior to the commencement of any phase of development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for each phase of the development. The scheme shall include as a minimum the following:

   - Methods to be employed to control and monitor noise, dust and vibration impacts;
   - Schedule of construction works, dates and hours;
   - Traffic Routes;
   - Interface between on site and off-road movements and pedestrians;
   - Measures to control disruption;
   - Health & Safety requirements;
   - Monitoring and Management;
   - Construction Heavy Goods Vehicle routing;
   - Site cleaning measures for vehicles;
   - Management plan to control surface water runoff during construction phase and measures to mitigate the risk from contaminated surface runoff;
   - On-site staff and contractor parking clear of the public highway
   - On-site materials storage area
   - A waste strategy for managing and disposing of waste generated during construction.

   The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority prior to the commencement of construction works and maintained for the duration of the construction works.

Duplicate

6. Prior to the commencement of any phase of development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, a method statement for the construction of the parking area, construction of the foundations close to the trees' RPA and locations of all services which must not encroach into the no cellular parking area for that phase shall be submitted to and approved in writing by the Local Planning Authority. All existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

7. Piling or other foundation designs using penetrative methods for any part of the development hereby approved, shall not be carried out other than with the express written consent of the Local Planning Authority, where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

8. No surface water will be permitted to drain directly or indirectly into the public sewer, unless agreed in writing with the Local Planning Authority.

9. Prior to the commencement of any phase of the development hereby approved, a Construction Training and Employment Management Plan (CT&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP will aim to promote training and employment opportunities for local people and include:

   - Measures to ensure the owner and contractors work directly with local employment and training agencies;
   - Targets for employing local labour;
   - Targets for work experience opportunities;
   - Measures to provide training opportunities in respect of any new jobs created; and
   - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

   The development for that phase hereby approved shall be carried out in accordance with the agreed CT&EMP and any amendments to the CT&EMP shall be agreed in writing with the Local Planning Authority.

10. Prior to the commencement of above ground works for any phase of development, full details of both hard and soft landscape works, with associated implementation plan, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

    proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure,

Duplicate

schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

11. Prior to first occupation of for any phase of development hereby approved, a sustainable drainage management and maintenance plan for that phase of the development, for the lifetime of that phase of the development shall be submitted to and agreed in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

    i. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and

    ii. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

    The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

12. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

13. Prior to the commencement of above groundworks for any phase of development, a lighting design strategy for biodiversity for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

    a) identify those areas/features on site that are particularly sensitive for bats that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

    b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory

    or having access to their breeding sites and resting places.

    All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

14. Prior to the commencement of any subsequent phase of development

Duplicate

hereby approved as part of the outline permission, a ground investigation and remediation strategy to deal with the risks associated with contamination of the site in respect of the particular phase of development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

i. Prior to the development commencing:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

Post demolition but prior to any further development commencing:

ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off- site.

iii. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required, including a Gas Protection Design Report if gas protection measures are required, and how they are to be undertaken.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Prior to the occupation of the development:

v. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

15. An 8m wide buffer zone from Honksford Brook, measured from the top of the riverbank, shall be maintained as part of the lifetime of the development. An adequate buffer zone scheme demonstrating it will be free from built development including lighting, domestic gardens and formal landscaping must be submitted to, and approved in writing by, the Local Planning Authority.

16. Prior to the commencement of any above ground works for each phase of the development hereby approved, a scheme for public way-finding signage within the development shall be submitted to the Local Planning Authority for approval. The scheme shall include location,

Duplicate

materials, scale and appearance of the way-finding signs. The scheme shall be fully implemented prior to occupation of any of the buildings hereby approved.

17. Prior to the commencement of any above ground works for each phase of the development hereby approved, a detailed lighting strategy shall be submitted to the Local Planning Authority for approval. The strategy shall include details of the location, height, design and appearance, specification of the lighting columns and lamp heads, levels of luminance and a schedule for the implementation of the lighting. The development shall be carried out in accordance with the approved scheme.

18. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off-site highway works for improvements towards Ellenbrook Road/ Newearth Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense. The development shall be carried out in accordance with the approved details and implemented prior to the occupation of the final dwelling, hereby approved, or as otherwise agreed in writing with the Local Planning Authority.

19. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works proposed, including or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off- site highway works for improvements towards A580/Walkden Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense and implemented prior to the occupation of the final dwelling, hereby approved, or otherwise agreed in writing with the Local Planning Authority.

20. No part of the development hereby approved shall be occupied until the visibility splays defined on Drawing No. M21015-A-052 are cleared of all obstructions to visibility to footway/verge level/all obstructions to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

21. Prior to first occupation of each phase of the development hereby approved, full details of the maintenance and management arrangements for the on-site Open Space and Play Equipment, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out and maintained in accordance with the approved details at all times thereafter.

22. Prior to the demolition of any building(s) on the site associated with any phases, a demolition strategy for each respective building(s) to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include details for the methods to be employed to monitor and control impacts arising during these works, including demolition traffic, noise, dust and vibration, and shall indicate

Public

how these sites shall be left and secured should an interim period occur before the construction of the respective development phase is undertaken in these locations. The demolition of the buildings and the retention of the sites, where appropriate, shall be carried out in full accordance with the approved strategies at all times.

23. No dwelling or building within any phase of the outline permission shall be first occupied until its associated car parking has been constructed, drained, surfaced and is available for use in accordance with details which shall be first submitted to, and approved in writing by, the Local Planning Authority. All approved parking areas shall thereafter be retained and not used for any other purpose.

24. As part of any application for Reserved Matters approval for any phase of the development hereby approved in outline, the following details shall be submitted in respect of that phase:

a) Full site survey showing existing and proposed levels of the buildings, roads, footpaths and other landscaped areas
b) Finished floor levels of all buildings (defined relative to datum or datum points)
c) Details of the particulars or samples of the materials to be used for the external walls and roof
d) All boundary treatments to be carried out on all the perimeter boundaries on that phase and details of any boundary enclosures to be erected or grown within that phase
e) A scheme (including a programme for its implementation) for the provision of open space and children's play facilities within and/or for that phase
f) Scale, type and design of the open space and children's play facilities to be provided within and/or for that phase)
g) Crime impact statement
h) Updated Phasing Plan and Schedule. The Phasing Plan shall include details of the maximum number of dwellings, and any other development, to be implemented within each phase of the development. The schedule shall include as a minimum a timetable for implementation and indication of when development will come forward the quantum of development and mix of uses for each phase
i) Design Code compliance statement to ensure quality and compliance with the approved Design Code and Parameters Plans.
j) Updated Ecology surveys where necessary, and any subsequent monitoring and mitigation required for each phase.
k) Updated public right of way plan and strategy
l) Updated and accurate tree survey
m) scheme for the provision of electric vehicle charging points for each dwelling
n) cycle and refuse storage

No phase of the development hereby approved, shall be occupied until the approved details set out above have been carried out in respect of that phase. Thereafter, the approved details for each phase shall be retained for the lifetime of that phase.

25. As part of any subsequent application(s) for reserved matters approval, in respect of layout, scale or landscaping a hard and soft landscaping scheme, with an associated implementation plan shall be submitted to the Local Planning Authority for approval. The development shall accord with the principles set out in Landscape Design Code (dated February

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2023, R001v1 EN). Such a scheme shall include:- proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure, schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled as part of that particular phase. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

26. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, comprising of over 150 dwellings, an updated Health Impact Assessment shall be submitted for approval.

27. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, full details of the foul and surface water drainage scheme for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The foul and surface water drainage schemes must include the following details as a minimum:

    i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    ii. Should infiltration be discounted, surface water will drain to watercourse at an agreed controlled rate;
    iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    iv. An overland flow and exceedance plan;
    v. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;

    vi. Any drainage infrastructure connections (foul water) including the volume of flows between phases / development parcels;
    vii. Any drainage infrastructure connections (surface water) including the volume of flows between phases / development parcels;
    viii. Identify any parts of the site where foul pumping is necessary including the timing arrangements, storage requirements and rate of discharge for any pumped foul discharge. Thereafter, the strategy shall minimise the number of pumping stations;
    ix. Evidence of that any foul and surface water drainage systems mitigate the risk of pollution from controlled waters for the lifetime of the development; and
    x. To ensure the development is flood resilient.

    Foul and surface water shall drain on separate systems. The details for each phase or part phase must be consistent with the updated site wide Foul and Surface Water Drainage Strategy submitted and approved pursuant to the above. The approved schemes shall also be in accordance with the Non- Statutory Technical Standards for Sustainable Drainage

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Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted.

28. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, an assessment of the nature and extent of noise affecting the residential development site. The assessment shall be carried out in accordance with a methodology which has been previously agreed in writing with the Local Planning Authority and shall identify mitigation measures required to protect the development. The approved mitigation measures shall be implemented in full before first occupation of the dwellings and shall be retained thereafter.

29. Prior to commencement of any phase of the development hereby approved, a scheme detailing how each phase of the development can achieve zero carbon, in terms of construction (from 2028) and subsequent operation shall be submitted to the Local Planning Authority for approval. This shall include Low Carbon technologies which have been incorporated into the design and construction of that building and for the purposes of this condition the Low Carbon technologies are considered to comprise GSHP; ASHP; Photovoltaics; Battery Storage and Solar Thermal panels. The development shall be carried out in full accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

30. Prior to the commencement of works of any phase hereby approved,, the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

    i. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
        - an archaeological evaluation through trial trenching;
        - dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).

    ii. A programme for post-investigation assessment to include:
        - production of a final report on the significance of the below-ground archaeological interest.

    iii. Deposition of the final report with the Greater Manchester Historic Environment Record.

    iv. Dissemination of the results of the archaeological investigations commensurate with their significance, which may include publication and the installation of an information panel.

    v. Provision for archive deposition of the report and records of the site investigation.

    vi. Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

31. Prior to the commencement of each phase of the development hereby approved, a Construction Environment Management Plan (CEMP) and

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Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure a 10% net gain in biodiversity across the development site as a whole, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP and HMP document the following information shall be provided:

i. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
ii. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation;
iii. Details of reasonable avoidance measures to be implemented during groundworks to avoid any possible harm to amphibians and small mammals;
iv. Measures to prevent water pollution, and measures to mitigate potential noise and visual disturbance to the nearby landscape;
v. Details of both species composition and abundance where planting is to occur;
vi. Proposed management prescriptions for all habitats for a period of no less than 30 years;
vii. Assurances of achievability;
viii. Timetable of delivery for all new and enhanced habitats; and
ix. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed- back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

32. Prior to the commencement of each phase of the development hereby approved, a scheme detailing on-site and if required off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall net gain in biodiversity, and shall include:

i. Details of the offset requirements of the development, in accordance with a recognised biodiversity offsetting metric;
ii. The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
iii. The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
iv. A management and monitoring plan, to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:

- Description of all habitats to be created/enhanced with the scheme including expected management condition and total area;
- Review of the ecological constraints;
- Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including

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extent and location of proposed works;
- Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
- Identification of the persons responsible for implementing the works;
- A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
- A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

33. Prior to the commencement of any subsequent phase, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units has been submitted to and agreed in writing by the Local Planning Authority where necessary. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

34. Prior to the commencement of any phase of development hereby approved, a detailed flood risk assessment which confirms the fluvial flood risk extents associated with Honksford Brook for the 3.33% (Flood Zone 3b), 1% (Flood Zone 3a), 1% + climate change allowance and the 0.1% (Flood Zone 2) AEP events. The detailed flood risk assessment must adequately demonstrate the proposed developments will be flood resilient and a detailed flood risk assessment or scheme must adequately demonstrate the functional floodplain will be safeguarded. The detailed flood risk assessment shall be fully implemented and subsequently maintained, in accordance with the detailed flood risk assessment /scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

35. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

36. Prior to the first occupation of any future phases of development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways.

    The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

a) the identification of targets for trip reduction and modal shift;
b) the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
c) further details for the development and implementation of the

Public Site

proposed guided busway stop and travel hub;

d) the timetable / phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
e) the mechanisms for monitoring and review;
f) the mechanisms for reporting;
g) the remedial measures to be applied in the event that targets are not met;
h) the mechanisms to secure variations to the Travel Plan following monitoring and reviews. Management of the Travel Plan should continue throughout the lifetime of the development:
a) The appointment of a Travel Plan Co-ordinator;
b) An updated Travel Plan prior to first occupation of any future phases of development, associated with the outline permission;
c) An annual survey of residents to ensure that measures are targeted and are appropriate for a period no shorter than five years after full build-out.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain for a period no shorter than five years after full build-out, unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with National Highways (or any subsequent body).

37. Development shall not commence on any part of the application site that is not already bound by the agreement dated 26th September 2024 entered into under Section 106 of the Town and Country Planning Act 1990 in respect of this planning permission unless all proprietors of any freehold interest, leasehold interest and financial charge in respect of those respective parts of the site have entered into a confirmatory deed under Section 106 of that Act so as to bind such interests with and make those interests subject to the planning obligations in the Section 106 Agreement relating to this planning permission

The reasons for the conditions are:

1. Part of the application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

3. For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

4. For the avoidance of doubt, to ensure a satisfactory standard of development and restriction on the quantum of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

5. Prior approval of such details is necessary since they are fundamental to

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the initial site preparation works and Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

6. To ensure that construction materials, equipment and associated structures are not sited where they will cause detriment to the amenity of the area, having regard to Policies CP7 and CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

7. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

8. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

9. To ensure that the proposal supports training and employment opportunities, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

10. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

11. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

12. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework

13. To ensure there is not harm caused to protected species in accordance with Wigan Local Plan Core Strategy policy CP12 and National Planning Policy Framework.

14. Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

15. To ensure the site is satisfactorily drained, to avoid contamination of the surface water system, to reduce the impact of flooding to the proposed development and elsewhere, to ensure the protection and enhancement of habitat, features and species of ecological interest, to ensure that the impacts of the development on biodiversity are adequately mitigated and to help to assimilate the proposed development into its surroundings, having regard to Policies CP8, CP9, CP10, CP12, CP16 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

16. To ensure a high-quality attractive signage and effective directional signage for visitors to the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy

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Framework.

17. To ensure a safe and high-quality lighting scheme for the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy Framework.

18. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

19. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

20. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

21. To ensure the proposal provides on-site amenity space for residents, having regard to Policy CP4 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

22. To safeguard the amenities of the adjoining premises and the area generally, to provide an acceptable level of mitigation for air quality during the demolition phases and to ensure the demolition sites are maintained in a safe and appropriate manner should the development in these locations not follow on immediately from the demolition of the building(s), having regard to Policies SD1, CP1, CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

23. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

24. For the avoidance of doubt and to ensure satisfactory standards of appearance, layout and scale are achieved in accordance with Wigan Local Plan Core Strategy Policies CP10, CP11 and CP17, saved UDP Policy EV4A and National Planning Policy Framework.

25. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

26. To ensure compliance with the Health for All SPD and National Planning Policy Framework.

27. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

28. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

29. To provide opportunities to maximise the sustainability of the development and to contribute to air quality improvements, having regard to Policies SD1, CP1, CP13 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary

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Development Plan and National Planning Policy Framework.

30. The Local Planning Authority considers the site is of archaeological interest and wishes to secure the satisfactory removal of the archaeological remains and/or recording of the subsequent findings, as required by Policy CP11 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

31. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

32. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

33. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

34. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

35. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

36. To reduce the need to travel to and from the site by private vehicle and in order to promote sustainable modes of travel to and from the site having regard to Policy CP7 of the Wigan Local Plan Core Strategy and the Council's Travel Plans Supplementary Planning Document and National Planning Policy Framework.

37. To ensure a comprehensive form of development, having regard to Places For Everyone Policy JPA32 and the National Planning Policy Framework

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to identify solutions to ensure the proposal comprises sustainable development in accordance with the NPPF and complies with the development plan.

Informatives

1. Attention is drawn to the following information from the Local Authority. It is relevant to all proposals involving new build development.

   The proposed development lies within a coal mining area. In the circumstances when carrying out of their proposals applicants should take account of any coal mining hazards relating to stability, health and safety or adverse environmental impacts. This includes considering the potential for existing property and new development to be affected by mine gas. Such hazards may currently exist, be caused as a result of the

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proposed development, or occur at some time in the future. Developers must also seek permission from the Coal Authority before undertaking any operations that involve entry into any coal seams, coal mine workings or coal mine entries (shafts and adits) and the implementation of site investigations or other works. Failure to obtain such authority is trespass with the potential for court action. Developers must obtain property specific summary information from the Coal Authority on any past, current and proposed surface and underground coal mining activity and other ground stability information that could affect the development. Further information can be found at www.coal.gov.uk/services/planning/index.cfm.
The Coal Authority's Property Search Service can be contacted on 0845 762 6848 or at www.groundstability.com.

2. You are advised that this development may be subject to the requirements of the Building Regulations 2000. In this case you will need to meet the specific requirements of Approved Document M (2004 Edition) "Access to and use of buildings".

   The Building Regulations application must include an Access Statement showing your commitment to inclusive design at an early stage.
   For further design guidance refer to British Standard 8300:2001 "Design of buildings and their approaches to meet the needs of disabled people".
   You are also advised that the Disability Discrimination Act 1995 requires service providers to take reasonable steps to overcome any physical barriers which continue to make their services impossible or unreasonably difficult for disabled people to use. For further information on this please contact the Disability Rights Commission at: www.drc-gb.org

3. The applicant is advised that the grant of planning permission does not confer any right to enter onto or to carry out work(s) on, over or under land over which they do not have control, or have the landowners consent.

4. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, with the survey and written confirmation of such having been agreed in writing by the Local Planning Authority prior to the works commencing.

5. Any works on the highway must only be carried out with the express consent and approval of the Highway Authority. This includes the installation of dropped kerbs, any new vehicular access or alteration to an existing vehicular access. All redundant vehicular accesses adjacent to the site must be removed and appropriate footway construction reinstated. All changes to the highway layout that alter the layout, function or nature of the highway may require a Safety Audit or Safety Check. It is the developer's responsibility to check that these requirements are met.

6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

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www.gov.uk/government/organisations/the-coal-authority.

7. For noise and vibration please refer to BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014, Code of practice for noise and vibration control on construction and open sites, Part 1 Noise and Part 2 Vibration and other relevant legislation, standards and guidance. Our standard advised construction hours are Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00, no work on Sunday and public/bank holidays. CEMP controls and monitoring should include full and appropriate consideration of any identified land contamination issues. Please refer to Wigan Council's Guidance Note 'Construction Environmental Management Plans', August 2019 - https://www.wigan.gov.uk/Docs/PDF/Resident/Planning-and-Building-Control/Planning-guidance/Construction-Environmental-Management-Plans-guidance-note.pdf

8. The use of vibro/stone columns may not be suitable above grouted mine workings as they may provide a seepage pathway for ground gas (see Chapter 4.5.5, NHBC Standards). If the use of vibro/stone columns is proposed above grouted mine workings, this will need to be fully considered and detailed within the assessment and Gas Protection Design Report.

9. All site users should be made aware of any remedial measures incorporated within the development in order to break the pathway between any residual contaminants, including any ground gas, and the importance thereof. Remedial measures may include, but not limited to, clean capping layers to gardens, gas protection measures and water supply barrier pipe. As with all remedial measures, the integrity should be maintained and appropriate precautions taken should any future developments be undertaken at the site, i.e. extensions, conservatories, garages, landscaping and utilities etc., including the appropriate handling and disposal of any contaminated arisings generated by excavations.

   All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

10. For gas protection measures, the detailed design and specification of the protection measures should also be recorded in a design report (this can be appended to the remediation strategy), with the gas protection design, product specifications and verification plan being clearly defined and justified, as detailed within BS 8485:2015+A1:2019 and CIRIA C735.

11. Wigan Council has adopted the latest version of the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) Guidance 'Verification

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requirements for cover systems' (version 4.1, June 2021), which will need to be considered as part of any remediation strategy

12. It is advised that the environmental consultant and landscape architect work together and adopt a holistic approach to a clean cover system (if required) and landscape design in accordance with the Council's Landscape Design SPD.

13. The applicant is requested to note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property, i.e. coal seams and associated workings. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

14. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of Honksford Brook which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

    https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

    If an outfall into Honksford will be required as part of the development, a Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. The Environment Agency has a preference for structures set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course

15. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. However, this permission will not require the approval of a biodiversity gain plan before development is begun because the application was made before 12 February 2024.

16. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project

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- some naturally occurring clean material can be transferred directly between sites

  Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

17. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

18. It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

Date of decision
2nd October 2024

Signed
on behalf of the Council

NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Department for Communities and Local Government in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Department for Communities and Local Government has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Department for Communities and Local Government is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop the land is refused or granted subject to conditions, whether by the local planning authority or by the Department for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest

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in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Department for Communities and Local Government on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
(a) The statutory requirements are those set out in section 78 of the Town and Country Planning Act 1990, namely sections 70, 71 and 72 of the Act.

IMPORTANT NOTICE

Discharging planning conditions - Information is available on our website to explain the process this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Apply.aspx

Street naming and numbering is a legal function of the council to allocate numbers and road names to new developments and conversions
Information is available on our website to explain the process for requesting postal addresses and street names this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Street-naming/index.aspx

Should your planning permission relate to residential development, on completion of the above street naming and numbering process waste and recycling bins for the new properties can be ordered by following the links below:

https://www.wigan.gov.uk/Docs/PDF/Resident/Bins-Recycling/Developers-Guide-Bulk-Bin-Deliveries.pdf

https://developerbins.wigan.gov.uk

Please be aware that you will need a street name and numbering reference number to complete the waste and recycling bin order process.

This is NOT a consent under the Building Regulations.

These documents grant approval of your application submitted under the Town and Country Planning Act 1990 only and do not imply the Council's approval to any other consents which may be required. It is your responsibility to obtain any such other consents.

Before commencing work you should ensure that approval is obtained under the Building Regulations 2000 and/or any other Act.

Please note that different time limits for starting development usually apply to Planning Permission and approval under the Building Regulations. If Building Regulation works are not commenced within 3 years from the date of deposit, a

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new application must be made.

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PROPOSED EMPLOYEMENT DEVELOPMENT, ASHTON PARK, ASHTON-IN-MAKERFIELD – TECHNICAL NOTE – NOVEMBER 2024 (3578)

Introduction

Eddisons have been instructed by Caddick Developments and [redacted] ('the applicants') to produce a revised Transport Assessment to assist the Local Planning Authority's determination of an outline planning application for the provision of the Ashton Park employment development on land off Lockett Road in Ashton-in-Makerfield, which forms part of the wider South Lancashire Industrial Estate (Planning Ref: A/24/97381/OUTMAJ).

This Technical Note has been produced in response to the Wigan Council Highway Consultation Response dated 16th October 2024. This Note will consider the pertinent issues raised within the Highways Response **(Appendix 1)**;

- Pedestrian Access;
- Car Parking;
- Provision of Spine Road;
- Off-site Highways Improvements.

Pedestrian Access

Within the Consultation Response, the highways officers at Wigan Council (WC) have requested that as part of the proposed access road arrangements, a 2 metre footway and 3 metre shared footway be provided. This request is noted and as part of the proposals a 3 metre shared cycleway is to be provided on the northern side of the carriageway and 2 metre footway provided on the southern side of access road.

The proposed access arrangement drawing is shown in **Drawing 3578_F01_J**.

As part of the proposals, a gated pedestrian access into the site off Woods Lane is proposed, within the WC Consultation Response, the following is stated;

"Whilst this is acceptable in principle further information is required regarding the condition and access rights to Woods Lane as access is currently restricted."

In terms of the condition of Woods Lane, it is confirmed that the route between the application site and the A58 Bolton Road is surfaced and suitable for pedestrian usage. With regard to the access rights, it is confirmed that the applicant has access rights over the use of Woods Lane and that any existing on-site obstructions have been removed.

It is concluded that the proposals will provide pedestrian and cycle connectivity to the surrounding area and provide opportunity for trips to and from the site to be undertaken by non-car modes.

Car Parking

Within the Highways Consultation Response the following comment is raised regarding car parking provision;

"The application proposes to provide a total of 335 car parking spaces, which includes 17 accessible parking spaces. The applicant must provide evidence to justify the considerable shortfall in number of parking spaces."

Justification for the levels of car parking is provided within the submitted Transport Assessment (Section 3.4 of TA). This has been accepted by WC in subsequent discussions and they have agreed that the level of car parking on the site can be attached as a suitable worded planning condition to any future planning consent for the site.

Provision of Link Road

In the Consultation Response, the highways officers at WC have requested that the application proposals *'provide a commitment to deliver a road connection between the development site and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point.'*

The capacity assessments contained within the submitted Transport Assessment have indicated that such a vehicular link is not required to mitigate any highway capacity issues, this is not disputed by the highways authority - the highways impact is not 'severe' and there is no justification to refuse planning permission on highways grounds. Notwithstanding, the highways officer has indicated that a planning condition is required and that it should have the same wording as Condition 5 which is was attached to the neighbouring 'land to the east' planning application (LPA ref: A/21/92036/OUTMAJ)'.

We do not agree with the officer's conclusion – as such condition is clearly not necessary to make the development acceptable in highways terms. Further, the applicants have confirmed their willingness to accept a condition to ensure that pedestrian / cycle access is provided between the two sites and safeguard the opportunity to provide a vehicular route through both sites if required in the future.

Off-site Highway Works

Following consideration of the traffic impact of the proposals on the local highway network, WC have requested that the following off-site works be provided at the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction;

"There is scope to improve the performance of the junction by updating the SCOOT operation of the junction to allow for extra traffic queues. This includes moving the SCOOT loops further back from the stop lines and SCOOT re-validation. This can be secured via planning condition and delivered by Transport for Greater Manchester, who maintain and operate associated traffic

control equipment for the council."

The costs of these works has been requested from Wigan Council, subject to the further details of these costs, the applicant agrees in principle to the provision of these off-site highway works.

Summary

This Technical Note has been produced in response to the Wigan Council highways consultation response dated October 2024. In conclusion, the proposed employment development will provide a sustainable development in transport terms and planning permission should be granted in accordance with the NPPF.

Encs

Appendix 1 – Wigan Council Highway Consultation Response – October 2024
Drawing 3578_F01_J – Proposed Access Arrangements

APPENDICES

APPENDIX 1

Wigan Council Highway Consultation Response – October 2024

Places Directorate: Economy, Waste and Infrastructure
Memorandum

To:	[redacted]	**From:**	[redacted]
			Transport Policy
Ref:	A/24/97381/OUTMAJ	**Date:**	16/10/2024

Application No: A/24/97381/OUTMAJ
Proposal: Outline application with details of means of access only from Lockett Road for the construction of (Use Class B2/B8) warehouse accommodation of up to 33,445sqm (360,000sqft) total including integral offices, with associated car and commercial vehicle parking, servicing and landscaping. All other matters reserved
Location: Ashton Park, Land Off Lockett Road, Ashton in Makerfield, WN4 8TF
Grid Reference: E 358397, N 400335

Context
The proposal is an outline application with details of means of access only from Lockett Road for the construction of (Use Class B2/B8) warehouse accommodation of up to 33,445sqm including integral offices, with associated car and commercial vehicle parking, servicing and landscaping with all other matters reserved.

The site forms part of a wider allocation for employment development that was first identified in the adopted Wigan Unitary Development Plan in 2006, and subsequently carried forward as saved policy upon adoption of the Wigan Core Strategy in 2013.

The land to the immediate east has planning permission which was granted on appeal in 2023 for a scheme of 58,064sqm of industrial / warehouse accommodation (A/21/92036/OUTMAJ).

The overall site is currently used as agricultural land and is bound to the northwest by an existing industrial estate, whilst agricultural land bounds the site to the north-east, south-west and south-east.

The adopted highway of Lockett Road is located along the north-western boundary of the application site. It is a single carriageway road which runs through the South Lancashire Industrial Estate. It is subject to a 30mph speed limit and has a carriageway width of circa 8.5 metres and footways are provided on either side of the carriageway. Lockett Road is a loop road providing access to the B5207 Bryn Road in two locations via priority-controlled junctions.

Accessibility
Footways are located on Lockett Road and the B5207 Bryan Road in the vicinity of the application site. These footways have a minimum width of 2 metres and are located on both sides of the carriageway. It is proposed for Lockett Road to be extended into the site to serve the development and the wider employment allocation.

The land to the immediate east which has planning permission includes a 3m shared facility for pedestrians and cyclists on one side of the access to the A58 Bolton Road. There is a standard 2m footway on the other side of the carriageway. This standard of infrastructure is required to serve the proposed development and any future parcels of land that come forward as part of the wider employment allocation. Furthermore, this is also the standard required for the access road to become adopted highway.

It is proposed to a create a pedestrian access to the development via Woods Lane to provide access to bus stops situated along the A58 Bolton Road. The bus services operating from these stops provide various services throughout the day to destinations such as Manchester city centre, Wigan town centre, Leigh and Bolton. The number 10 bus service in particular provides a high frequency service between Wigan and Leigh throughout the day and evening hours. Whilst this is acceptable in principle further information is required regarding the condition and access rights to Woods Lane as access is currently restricted.

Site Access Arrangements
it is proposed for Lockett Road within the vicinity of the proposed development to be amended to provide a priority-controlled junction, with the vehicles travelling to and from the site having priority over the Lockett Road traffic. This reflects the change in vehicle movements in the area as a result of the proposed development and the wider employment allocation. Operational assessments have been undertaken to demonstrate that this arrangement works in capacity terms.

Parking
The councils Parking Standards require 1 space per 60sqm for the proposed B2 land use and 1 space per 100sqm for the proposed B8 land use. As the exact quantum of B2/B8 land use is yet to be determined the council must assess the demand for parking using the most onerous standard, which in this instance is B2. This equates to the requirement for 557 spaces.

The application proposes to provide a total of 335 car parking spaces, which includes 17 accessible parking spaces. The applicant must provide evidence to justify the considerable shortfall in number of parking spaces.

The councils Parking Standards require 4 spaces plus 4% of total parking spaces to be accessible for car parks with over 200 parking spaces. Whilst the quantum of accessible parking spaces is currently acceptable, it should be noted that any further increase in the number of parking spaces must also include additional accessible parking space provision.

The application proposes to provide covered and secure cycle parking provision located off pedestrian/cycle access into the site in a safe and convenient location. The councils Parking Standards require 1 space per 700sqm for the proposed B2 land use and 1 space per 850sqm for the proposed B8 land use. As the exact quantum of B2/B8 land use is yet to be determined the council must assess the demand for cycle parking using the most onerous standard, which in this instance is B2. This equates to the requirement for 47 spaces. This will be secured via planning condition.

Highway Network
Traffic surveys were undertaken on Wednesday 15 and Wednesday 22 November 2023, at the junctions within the vicinity of the development listed below. This was agreed with the council prior

to the surveys taking place and is the same as the scope agreed for the consented 'land to the east' planning application:

- B5207 Bryn Road/Lockett Road priority-controlled junction
- A58 Bolton Road/B5207 Bryn Road signal-controlled junction
- A58 Bolton Road/Bryn Road South priority-controlled junction
- A58 Bolton Road/B5207 Golborne Road signal-controlled junction
- A573 Warrington Road/A58 Lily Lane/B5237 Bickershaw Lane signal-controlled junction
- A49 Warrington Road/A58 Bolton Road/Princess Road/A58 Gerard Street signal-controlled junction
- A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street signal-controlled junction
- A58 Liverpool Road/M6 Junction 24 Off-slips signal controlled junction
- A58 Liverpool Road/M6 Junction 24 On-slip priority-controlled junction
- A49 Wigan Road/ B5207 Bryn Road/Downall Green Road signal-controlled junction (Bryn Crossroads)
- A49 Warrington Road/M6 Junction 25 Slip Roads/A49 Wigan Road roundabout junction

It is anticipated that the proposed development will open in 2027 and therefore operational assessments have been undertaken for 2027 and 2032 with appropriate traffic growth factors and committed developments applied.

The proposed development is forecast to result in 209 two-way vehicle movement in the weekday AM peak and 184 two-way vehicle movements in the weekday PM peak. The impact of the traffic generated by the proposed development on the local highway network is as follows:

Lockett Road/Site Access Junction
The junction is forecast to operate within capacity in 2027 and 2032. It is therefore concluded that there is sufficient capacity to accommodate the proposed development.

B5207 Bryn Road/Lockett Road
The proposed development will have minimal impact on the operation of this junction in both 2027 and 2032.

A58 Bolton Road/B5207 Bryn Road
The junction is forecast to operate within its actual capacity in the 2027. With the addition of the development traffic, the junction is forecast to continue to operate within its actual capacity with minimal increases in average delay in both peak periods.

The junction is forecast to operate within its actual capacity in 2032. With the addition of the development traffic the junction will operate within its actual capacity with minimal increases in average delay in both peak periods.

A58 Bolton Road/Bryn Road South
The junction is forecast to operate within its actual capacity in 2027. With the additional of the development traffic the junction will operate within its actual capacity with minimal increases in average delay in both peak periods.

The junction is forecast to operate within its actual capacity in 2032. With the addition of the development traffic, there is forecast to be minimal increases in delay in both peak periods.

A58 Bolton Road/ B5207 Golborne Road

The consented 'land to the east' development proposes an improvement scheme at this junction. The improvement scheme is forecast to operate within its actual capacity in 2027. With the addition of the development flows the junction will continue to operate within its actual capacity on all arms apart from on the A58 Bolton Road (south) arm in the weekday PM period. However, with the addition of the proposed development traffic the increase in the average journey time on this arm will be minimal with increases of 36 seconds. The increases in delay on all other arms are considerably lower.

The 2032 assessment has been undertaken with an assumption that the pedestrian stage on the A58 Bolton Road is called every third cycle, which is deemed realistic for this location during peak periods. This assessment demonstrates that the junction is forecast to operate within its actual capacity. With the addition of the development traffic the junction is forecast to operate within capacity and within minimal increases in average delay.

A573 Warrington Road/A58 Lily Lane/B5237 Bickershaw Lane

The proposed development is forecast to have minimal impact on the operation of the junction with only 9 two-way movements forecast to travel this way on the local highway network.

A49 Warrington Road/A58 Bolton Road/Princess Road/A58 Gerard Street

The junction is forecast to operate within its actual capacity in 2027. With the addition of the development traffic, the junction is forecast to operate within capacity with minimal forecast increases in average delay.

The junction is forecast to operate within its actual capacity in the 2032. With the addition of the development flows there is forecast to be minimal increases in average delay in both peak periods.

A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street

The junction is forecast to operate within its actual capacity in 2027, with some arms close to their actual capacity. With the addition of the development traffic, the Warrington Road arm of the junction is forecast to exceed operational capacity. The performance of the junction is forecast to worsen in 2032.

There is scope to improve the performance of the junction by updating the SCOOT operation of the junction to allow for extra traffic queues. This includes moving the SCOOT loops further back from the stop lines and SCOOT re-validation. This can be secured via planning condition and delivered by Transport for Greater Manchester, who maintain and operate associated traffic control equipment for the council.

A49 Warrington Road/M6 Junction 25 Slip Roads/A49 Wigan Road

This junction, known locally as the Landgate Gyratory, will be signalised and a new arm provided as part of the consented M6 J25 planning application. The junction is forecast to operate within its actual capacity in 2027. With the addition of the proposed development flows there are forecast to be minimal increases in the average delay in both peak periods.

In 2032, the junction is forecast to continue to operate within its actual capacity. With the addition of the proposed development flows there are forecast to be minimal increases in the average delay in both peak periods.

A49 Wigan Road/B5207 Bryn Road/Downall Green Road

The junction is forecast to operate over capacity in 2027 and 2032 both with and without the development in place. Performance of the junction will worsen with the traffic generated by the proposed development.

The updated Transport Assessment provided by the applicant states that substantial levels of trips will be diverted from the junction upon completion of the link road conditioned as part of the permitted Landgate planning application. The Landgate development is only the first component of the council's long-term aspiration for new road infrastructure connecting the A58 and A49, in order to bypass of A49 / Bryn Road / Downhall Green Road junction and sections of Ashton town centre. To complete the bypass a vehicular connection from the proposed development to the adjacent land to the east that was granted planning permission in 2023 is required.

The importance of this connection was referenced in the Appeal Decision for land to the immediate east with the Inspector including a condition to ensure any future reserved matters application in respect of layout shall be accompanied by a connectivity and implementation plan, the details of which should include a connection between the development and the remaining Primary Employment Area Land allocation (accessed off Lockett Road) to the north west terminating at the most northern point. It is therefore imperative that the proposed development includes a commitment to deliver this connection.

A58 Liverpool Road/M6 Junction 24 Off-slip

The junction is forecast to operate within its theoretical capacity both with and without the development in place in 2027. The traffic generated by the development will only have minimal increases in average delay in both peak periods.

The junction is forecast to continue to operate within its theoretical capacity in in 2032 both with and without the development in place. With the addition of the proposed development flows there are forecast to be minimal increases in average delay in both peak periods.

Road Safety

A total of five accidents occurred in the vicinity of the development during the 5-year study period, with one classified as a 'serious' injury and four classified as 'slight' injuries.

Given the severity of the accidents that have occurred over the 5-year study period, the existing accident record does not represent a material concern in the context of the proposed development.

Travel Plan

The proposed Framework Travel Plan is acceptable. For the supervision element of the Travel Plan the council charges 4,079.84. This will be secured via s106 agreement.

Summary

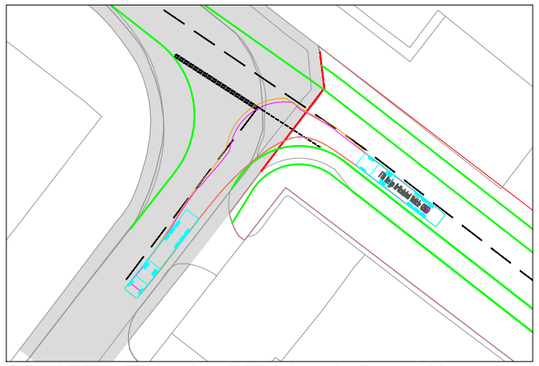
In view of the above, there are outstanding issues queries and issues relating to car parking, access to bus services via Woods Lane, a vehicular connection to land to the immediate east and a commitment to deliver improvements at the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction that must be addressed.

DRAWINGS

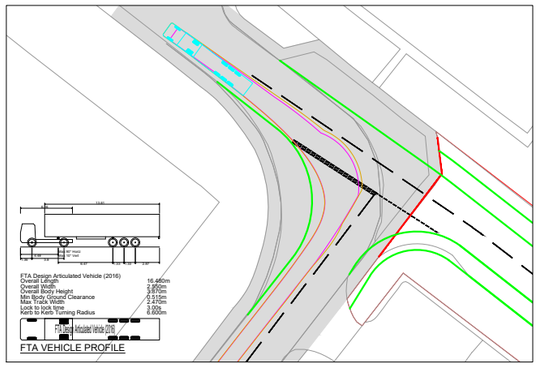
NORTH SOUTH AERIAL VIEW

ADOPTED HIGHWAY PLAN

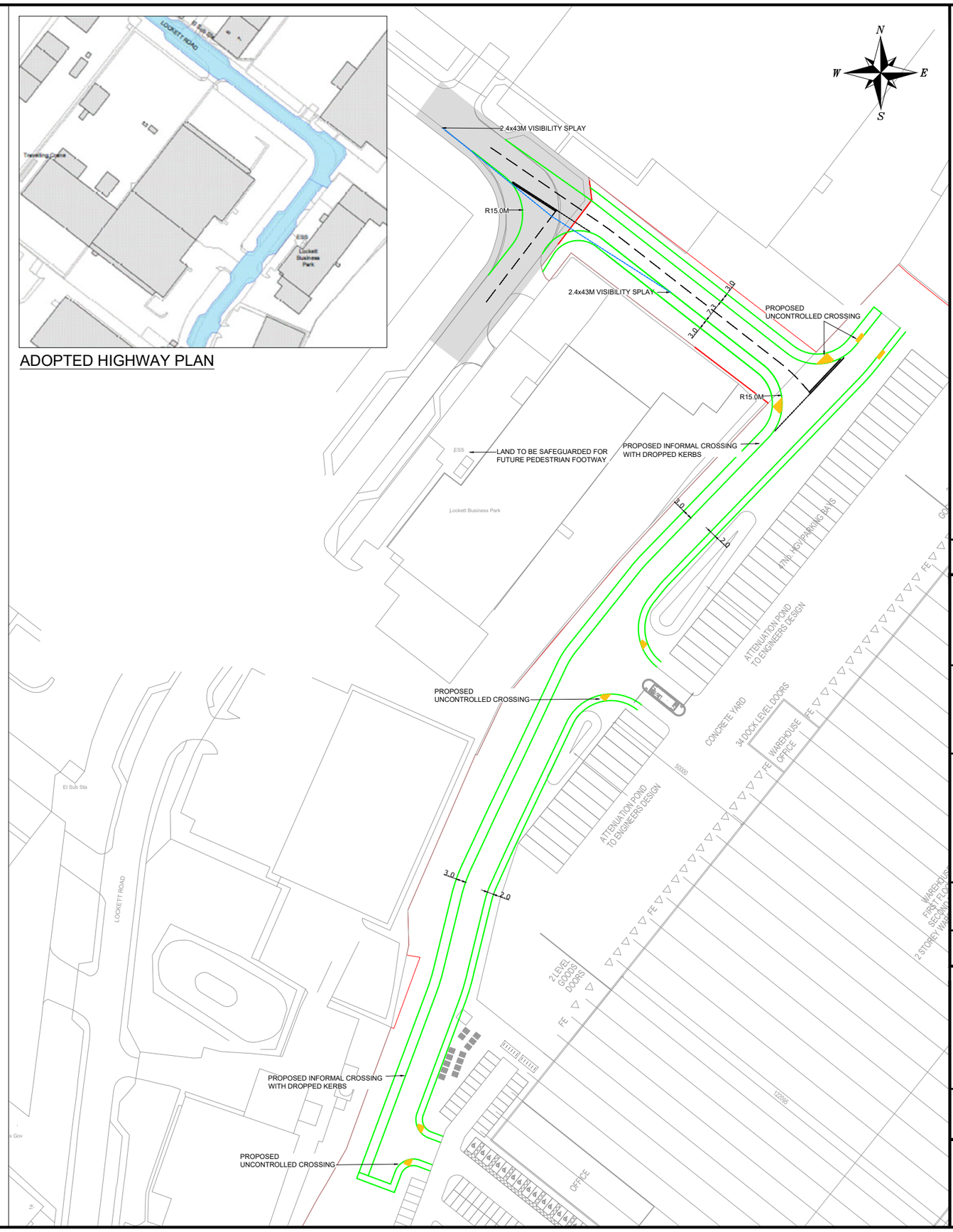
LAND REGISTRY BOUNDARIES



FTA ARTIC TRACK - LEFT IN SCALE: 1:1000



FTA ARTIC TRACK - LEFT OUT SCALE: 1:1000

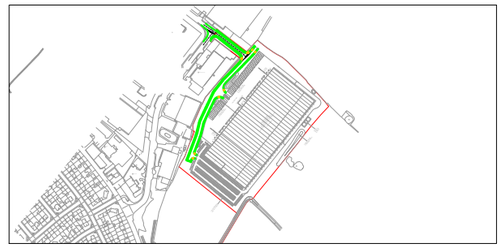


NOTES

THIS IS NOT A CONSTRUCTION DRAWING AND IS FOR INDICATIVE PURPOSES ONLY.
THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

DENOTES NEW KERBS
EXISTING ADOPTED HIGHWAY
SITE BOUNDARY

LOCAL AUTHORITY: WIGAN COUNCIL
TOTAL AREA OF SITE: 7.1Ha



SITE LAYOUT NTS

REV	DETAILS	DRAWN	CHECKED	DATE
J	MINOR AMENDMENTS	LB	TSB	AUG 24
I	MINOR AMENDMENTS	LB	TSB	AUG 24
H	MINOR AMENDMENTS	LB	TSB	AUG 24
G	MINOR AMENDMENTS	LB	TSB	AUG 24
F	UNCONTROLLED CROSSINGS SHOWN	LB	TSB	AUG 24
E	SITE LAYOUT AMENDED	LB	TSB	MAR 24
D	BOUNDARY REMOVED	LB	TSB	FEB 24
C	LAND REGISTRY ADDED	LB	TSB	FEB 24
B	SITE LAYOUT AMENDED	GM	TSB	FEB 23
A	3RD PARTY LAND SHOWN	LB	MC	OCT 22

CLIENT:

CADDICK

PROJECT:

ASHTON PARK, ASHTON IN MAKERFIELD

DRAWING TITLE:

PROPOSED SITE ACCESS PLAN

SCALES:

1:1000 @ A3

DRAWN:	CHECKED:	DATE:
GM	TSB	FEB 24

Croft Transport Planning & Design
340 Deansgate
Manchester
M3 4LY

Email: info@croftts.co.uk
Tel: 0161 837 7380
Web: www.eddisons.com/services/transport-planning

DRAWING NUMBER: 3578-F01

REVISION: J

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Form P2A
Town and Country Planning Act 1990

Wigan Council

Outline Planning Permission

Name and Address of Applicant

[redacted]

M41 7HA

Name and Address of Agent (if any)

[redacted]

Part I – Particulars of Application

Date of Application: 21st February 2023

Application No: A/23/95155/OUTMES

Particulars and Location of Development:

Outline planning application on land to the South of the guided busway ('Southern Parcel') for a multi-phased, severable residential development (Use Class C3), with all matters reserved apart from the main access point into the site from Bridgewater Road requiring the demolition of 15 Bridgewater Road, land to facilitate the expansion of St Johns Primary School, new parkland and wetland, public open space, children's play space, and provision of new and enhancements to existing footpaths and cycleways and, where applicable, the re-routing, upgrading and extension of the Public Rights of Way network

Land North Of Mosley Common South Of The Guided Busway Worsley

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Part II - Particulars of Decision.

Wigan Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 2004 that permission has been granted for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted.

Consent is granted subject to the following conditions:

1. No phase of the development hereby approved in outline, the extent of which is defined on Plan Ref: Ref: 01941_S_08 Rev P2 (hereafter referred to as the "outline permission") shall be begun until details of all of the reserved matters for that specific phase (appearance, landscaping, layout, and scale) have been submitted to, and approved in writing by, the Local Planning Authority.

Duplicate

2. Applications for the approval of reserved matters for all phases of the outline permission must be made no later than the expiration of eight years beginning with the date of this permission; and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. Each phase of the outline permission shall thereafter be implemented in accordance with the approved reserved matters in respect of that phase.

3. The outline development hereby approved, and all subsequent reserved matters applications for any phase of the development shall accord with the following approved plans and documents:

   - Location Plan (Southern Application Boundary - Outline) Ref: 01941_S_08 Rev P2
   - Design Code Ref: 10941 Final P2, dated 06.11.2023
   - Parameters Plan (South) Access and Movement Ref: 01941_PP_S01 Rev P2
   - Parameter Plan (South) Land Use and Green Infrastructure Ref: 01941_PP_S02 Rev P2
   - Parameter Plan Building Heights (South) Ref: 01941_PP_S03 Rev P2
   - Proposed Access onto Bridgewater Road Ref: M21015-A-052

4. No more than 244 dwellings shall be constructed as part of the development hereby approved.

5. Prior to the commencement of any phase of development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for each phase of the development. The scheme shall include as a minimum the following:

   - Methods to be employed to control and monitor noise, dust and vibration impacts;
   - Schedule of construction works, dates and hours;
   - Traffic Routes;
   - Interface between on site and off-road movements and pedestrians;
   - Measures to control disruption;
   - Health & Safety requirements;
   - Monitoring and Management;
   - Construction Heavy Goods Vehicle routing;
   - Site cleaning measures for vehicles;
   - Management plan to control surface water runoff during construction phase and measures to mitigate the risk from contaminated surface runoff;
   - On-site staff and contractor parking clear of the public highway
   - On-site materials storage area
   - A waste strategy for managing and disposing of waste generated during construction.

   The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority prior to the commencement of construction works and maintained for the duration of the construction works.

Duplicate

6. Prior to the commencement of any phase of development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, a method statement for the construction of the parking area, construction of the foundations close to the trees' RPA and locations of all services which must not encroach into the no cellular parking area for that phase shall be submitted to and approved in writing by the Local Planning Authority. All existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

7. Piling or other foundation designs using penetrative methods for any part of the development hereby approved, shall not be carried out other than with the express written consent of the Local Planning Authority, where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

8. No surface water will be permitted to drain directly or indirectly into the public sewer, unless agreed in writing with the Local Planning Authority.

9. Prior to the commencement of any phase of the development hereby approved, a Construction Training and Employment Management Plan (CT&EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP will aim to promote training and employment opportunities for local people and include:

   - Measures to ensure the owner and contractors work directly with local employment and training agencies;
   - Targets for employing local labour;
   - Targets for work experience opportunities;
   - Measures to provide training opportunities in respect of any new jobs created; and
   - Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

   The development for that phase hereby approved shall be carried out in accordance with the agreed CT&EMP and any amendments to the CT&EMP shall be agreed in writing with the Local Planning Authority.

10. Prior to the commencement of above ground works for any phase of development, full details of both hard and soft landscape works, with associated implementation plan, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

    proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure,

Duplicate

schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

11. Prior to first occupation of for any phase of development hereby approved, a sustainable drainage management and maintenance plan for that phase of the development, for the lifetime of that phase of the development shall be submitted to and agreed in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

    i. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and

    ii. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

    The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

12. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

13. Prior to the commencement of above groundworks for any phase of development, a lighting design strategy for biodiversity for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

    a) identify those areas/features on site that are particularly sensitive for bats that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

    b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory

    or having access to their breeding sites and resting places.

    All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

14. Prior to the commencement of any subsequent phase of development

Duplicate

hereby approved as part of the outline permission, a ground investigation and remediation strategy to deal with the risks associated with contamination of the site in respect of the particular phase of development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

i. Prior to the development commencing:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

Post demolition but prior to any further development commencing:

ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off- site.

iii. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required, including a Gas Protection Design Report if gas protection measures are required, and how they are to be undertaken.

iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Prior to the occupation of the development:

v. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

15. An 8m wide buffer zone from Honksford Brook, measured from the top of the riverbank, shall be maintained as part of the lifetime of the development. An adequate buffer zone scheme demonstrating it will be free from built development including lighting, domestic gardens and formal landscaping must be submitted to, and approved in writing by, the Local Planning Authority.

16. Prior to the commencement of any above ground works for each phase of the development hereby approved, a scheme for public way-finding signage within the development shall be submitted to the Local Planning Authority for approval. The scheme shall include location,

Duplicate

materials, scale and appearance of the way-finding signs. The scheme shall be fully implemented prior to occupation of any of the buildings hereby approved.

17. Prior to the commencement of any above ground works for each phase of the development hereby approved, a detailed lighting strategy shall be submitted to the Local Planning Authority for approval. The strategy shall include details of the location, height, design and appearance, specification of the lighting columns and lamp heads, levels of luminance and a schedule for the implementation of the lighting. The development shall be carried out in accordance with the approved scheme.

18. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off-site highway works for improvements towards Ellenbrook Road/ Newearth Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense. The development shall be carried out in accordance with the approved details and implemented prior to the occupation of the final dwelling, hereby approved, or as otherwise agreed in writing with the Local Planning Authority.

19. Prior to the occupation of the 100th dwelling hereby approved, a scheme of off-site highway improvement works including detailed drawings of any works proposed, including or changes to the existing adopted highway and a schedule providing timescales for the implementation of these works for off- site highway works for improvements towards A580/Walkden Road junction shall be submitted to the Local Planning Authority for approval, with all costs borne at the applicant's expense and implemented prior to the occupation of the final dwelling, hereby approved, or otherwise agreed in writing with the Local Planning Authority.

20. No part of the development hereby approved shall be occupied until the visibility splays defined on Drawing No. M21015-A-052 are cleared of all obstructions to visibility to footway/verge level/all obstructions to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

21. Prior to first occupation of each phase of the development hereby approved, full details of the maintenance and management arrangements for the on-site Open Space and Play Equipment, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out and maintained in accordance with the approved details at all times thereafter.

22. Prior to the demolition of any building(s) on the site associated with any phases, a demolition strategy for each respective building(s) to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include details for the methods to be employed to monitor and control impacts arising during these works, including demolition traffic, noise, dust and vibration, and shall indicate

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how these sites shall be left and secured should an interim period occur before the construction of the respective development phase is undertaken in these locations. The demolition of the buildings and the retention of the sites, where appropriate, shall be carried out in full accordance with the approved strategies at all times.

23. No dwelling or building within any phase of the outline permission shall be first occupied until its associated car parking has been constructed, drained, surfaced and is available for use in accordance with details which shall be first submitted to, and approved in writing by, the Local Planning Authority. All approved parking areas shall thereafter be retained and not used for any other purpose.

24. As part of any application for Reserved Matters approval for any phase of the development hereby approved in outline, the following details shall be submitted in respect of that phase:

a) Full site survey showing existing and proposed levels of the buildings, roads, footpaths and other landscaped areas
b) Finished floor levels of all buildings (defined relative to datum or datum points)
c) Details of the particulars or samples of the materials to be used for the external walls and roof
d) All boundary treatments to be carried out on all the perimeter boundaries on that phase and details of any boundary enclosures to be erected or grown within that phase
e) A scheme (including a programme for its implementation) for the provision of open space and children's play facilities within and/or for that phase
f) Scale, type and design of the open space and children's play facilities to be provided within and/or for that phase)
g) Crime impact statement
h) Updated Phasing Plan and Schedule. The Phasing Plan shall include details of the maximum number of dwellings, and any other development, to be implemented within each phase of the development. The schedule shall include as a minimum a timetable for implementation and indication of when development will come forward the quantum of development and mix of uses for each phase
i) Design Code compliance statement to ensure quality and compliance with the approved Design Code and Parameters Plans.
j) Updated Ecology surveys where necessary, and any subsequent monitoring and mitigation required for each phase.
k) Updated public right of way plan and strategy
l) Updated and accurate tree survey
m) scheme for the provision of electric vehicle charging points for each dwelling
n) cycle and refuse storage

No phase of the development hereby approved, shall be occupied until the approved details set out above have been carried out in respect of that phase. Thereafter, the approved details for each phase shall be retained for the lifetime of that phase.

25. As part of any subsequent application(s) for reserved matters approval, in respect of layout, scale or landscaping a hard and soft landscaping scheme, with an associated implementation plan shall be submitted to the Local Planning Authority for approval. The development shall accord with the principles set out in Landscape Design Code (dated February

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2023, R001v1 EN). Such a scheme shall include:- proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure, schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. It shall also include two for one replacement for any trees proposed to be felled as part of that particular phase. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

26. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, comprising of over 150 dwellings, an updated Health Impact Assessment shall be submitted for approval.

27. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, full details of the foul and surface water drainage scheme for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The foul and surface water drainage schemes must include the following details as a minimum:

    i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
    ii. Should infiltration be discounted, surface water will drain to watercourse at an agreed controlled rate;
    iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
    iv. An overland flow and exceedance plan;
    v. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;

    vi. Any drainage infrastructure connections (foul water) including the volume of flows between phases / development parcels;
    vii. Any drainage infrastructure connections (surface water) including the volume of flows between phases / development parcels;
    viii. Identify any parts of the site where foul pumping is necessary including the timing arrangements, storage requirements and rate of discharge for any pumped foul discharge. Thereafter, the strategy shall minimise the number of pumping stations;
    ix. Evidence of that any foul and surface water drainage systems mitigate the risk of pollution from controlled waters for the lifetime of the development; and
    x. To ensure the development is flood resilient.

    Foul and surface water shall drain on separate systems. The details for each phase or part phase must be consistent with the updated site wide Foul and Surface Water Drainage Strategy submitted and approved pursuant to the above. The approved schemes shall also be in accordance with the Non- Statutory Technical Standards for Sustainable Drainage

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Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted.

28. As part of any subsequent application(s) for reserved matters approval for any phase of the development hereby approved as part of the outline permission, an assessment of the nature and extent of noise affecting the residential development site. The assessment shall be carried out in accordance with a methodology which has been previously agreed in writing with the Local Planning Authority and shall identify mitigation measures required to protect the development. The approved mitigation measures shall be implemented in full before first occupation of the dwellings and shall be retained thereafter.

29. Prior to commencement of any phase of the development hereby approved, a scheme detailing how each phase of the development can achieve zero carbon, in terms of construction (from 2028) and subsequent operation shall be submitted to the Local Planning Authority for approval. This shall include Low Carbon technologies which have been incorporated into the design and construction of that building and for the purposes of this condition the Low Carbon technologies are considered to comprise GSHP; ASHP; Photovoltaics; Battery Storage and Solar Thermal panels. The development shall be carried out in full accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

30. Prior to the commencement of works of any phase hereby approved,, the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the Local Planning Authority. The WSI shall cover the following:

    i. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
        - an archaeological evaluation through trial trenching;
        - dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).

    ii. A programme for post-investigation assessment to include:
        - production of a final report on the significance of the below-ground archaeological interest.

    iii. Deposition of the final report with the Greater Manchester Historic Environment Record.

    iv. Dissemination of the results of the archaeological investigations commensurate with their significance, which may include publication and the installation of an information panel.

    v. Provision for archive deposition of the report and records of the site investigation.

    vi. Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

31. Prior to the commencement of each phase of the development hereby approved, a Construction Environment Management Plan (CEMP) and

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Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure a 10% net gain in biodiversity across the development site as a whole, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP and HMP document the following information shall be provided:

i. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
ii. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation;
iii. Details of reasonable avoidance measures to be implemented during groundworks to avoid any possible harm to amphibians and small mammals;
iv. Measures to prevent water pollution, and measures to mitigate potential noise and visual disturbance to the nearby landscape;
v. Details of both species composition and abundance where planting is to occur;
vi. Proposed management prescriptions for all habitats for a period of no less than 30 years;
vii. Assurances of achievability;
viii. Timetable of delivery for all new and enhanced habitats; and
ix. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed- back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

32. Prior to the commencement of each phase of the development hereby approved, a scheme detailing on-site and if required off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. If offsetting is proposed, a scheme shall provide for the creation and/or improvement of habitat/s in order to achieve an overall net gain in biodiversity, and shall include:

i. Details of the offset requirements of the development, in accordance with a recognised biodiversity offsetting metric;
ii. The identification of a receptor site or sites which are capable of providing an overall net gain in biodiversity;
iii. The provision of arrangements to secure the delivery of offsetting measures, including a timetable for delivery;
iv. A management and monitoring plan, to include for the provision and maintenance of the offsetting measures for a period of no less than 30 years from the commencement of the development. The management and monitoring plan is to include:

- Description of all habitats to be created/enhanced with the scheme including expected management condition and total area;
- Review of the ecological constraints;
- Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including

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extent and location of proposed works;
- Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix/planting scheme;
- Identification of the persons responsible for implementing the works;
- A timetable of ecological monitoring to assess the success of all habitat creation/enhancement.
- A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall thereafter be completed in accordance with the approved details.

33. Prior to the commencement of any subsequent phase, a Certificate confirming the agreement of an 'Off-Site Biodiversity Net Gain' or 'Offset' Provider to deliver the required number of Biodiversity Units has been submitted to and agreed in writing by the Local Planning Authority where necessary. The written approval of the Local Planning Authority shall not be issued before the Certificate has been issued by the Off-Site Biodiversity Net Gain Provider. The details of biodiversity enhancements shall be documented by the Off-Site Biodiversity Net Gain Provider and issued to the Council for their records.

34. Prior to the commencement of any phase of development hereby approved, a detailed flood risk assessment which confirms the fluvial flood risk extents associated with Honksford Brook for the 3.33% (Flood Zone 3b), 1% (Flood Zone 3a), 1% + climate change allowance and the 0.1% (Flood Zone 2) AEP events. The detailed flood risk assessment must adequately demonstrate the proposed developments will be flood resilient and a detailed flood risk assessment or scheme must adequately demonstrate the functional floodplain will be safeguarded. The detailed flood risk assessment shall be fully implemented and subsequently maintained, in accordance with the detailed flood risk assessment /scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

35. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

36. Prior to the first occupation of any future phases of development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways.

    The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

a) the identification of targets for trip reduction and modal shift;
b) the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
c) further details for the development and implementation of the

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proposed guided busway stop and travel hub;

d) the timetable / phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
e) the mechanisms for monitoring and review;
f) the mechanisms for reporting;
g) the remedial measures to be applied in the event that targets are not met;
h) the mechanisms to secure variations to the Travel Plan following monitoring and reviews. Management of the Travel Plan should continue throughout the lifetime of the development:
a) The appointment of a Travel Plan Co-ordinator;
b) An updated Travel Plan prior to first occupation of any future phases of development, associated with the outline permission;
c) An annual survey of residents to ensure that measures are targeted and are appropriate for a period no shorter than five years after full build-out.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain for a period no shorter than five years after full build-out, unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with National Highways (or any subsequent body).

37. Development shall not commence on any part of the application site that is not already bound by the agreement dated 26th September 2024 entered into under Section 106 of the Town and Country Planning Act 1990 in respect of this planning permission unless all proprietors of any freehold interest, leasehold interest and financial charge in respect of those respective parts of the site have entered into a confirmatory deed under Section 106 of that Act so as to bind such interests with and make those interests subject to the planning obligations in the Section 106 Agreement relating to this planning permission

The reasons for the conditions are:

1. Part of the application is for outline permission only and therefore gives insufficient details of the proposed development. These details will be required as reserved matters, in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

3. For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

4. For the avoidance of doubt, to ensure a satisfactory standard of development and restriction on the quantum of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

5. Prior approval of such details is necessary since they are fundamental to

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the initial site preparation works and Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

6. To ensure that construction materials, equipment and associated structures are not sited where they will cause detriment to the amenity of the area, having regard to Policies CP7 and CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

7. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

8. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

9. To ensure that the proposal supports training and employment opportunities, having regard to Policy CP5 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

10. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

11. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

12. To avoid contamination of the surface water system, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework

13. To ensure there is not harm caused to protected species in accordance with Wigan Local Plan Core Strategy policy CP12 and National Planning Policy Framework.

14. Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

15. To ensure the site is satisfactorily drained, to avoid contamination of the surface water system, to reduce the impact of flooding to the proposed development and elsewhere, to ensure the protection and enhancement of habitat, features and species of ecological interest, to ensure that the impacts of the development on biodiversity are adequately mitigated and to help to assimilate the proposed development into its surroundings, having regard to Policies CP8, CP9, CP10, CP12, CP16 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework

16. To ensure a high-quality attractive signage and effective directional signage for visitors to the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy

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Framework.

17. To ensure a safe and high-quality lighting scheme for the site, in accordance with Wigan Local Plan Core Strategy policies CP7 and CP10 and National Planning Policy Framework.

18. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

19. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

20. To ensure the development includes all adequate provisions for road safety, in accordance with policy CP7 of the Wigan Local Plan Core Strategy and National Planning Policy Framework

21. To ensure the proposal provides on-site amenity space for residents, having regard to Policy CP4 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

22. To safeguard the amenities of the adjoining premises and the area generally, to provide an acceptable level of mitigation for air quality during the demolition phases and to ensure the demolition sites are maintained in a safe and appropriate manner should the development in these locations not follow on immediately from the demolition of the building(s), having regard to Policies SD1, CP1, CP7, CP10 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary Development Plan and National Planning Policy Framework.

23. To ensure the site is sufficiently drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

24. For the avoidance of doubt and to ensure satisfactory standards of appearance, layout and scale are achieved in accordance with Wigan Local Plan Core Strategy Policies CP10, CP11 and CP17, saved UDP Policy EV4A and National Planning Policy Framework.

25. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

26. To ensure compliance with the Health for All SPD and National Planning Policy Framework.

27. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

28. To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

29. To provide opportunities to maximise the sustainability of the development and to contribute to air quality improvements, having regard to Policies SD1, CP1, CP13 and CP17 of the Wigan Local Plan Core Strategy, saved Policy EV1B of the Wigan Replacement Unitary

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Development Plan and National Planning Policy Framework.

30. The Local Planning Authority considers the site is of archaeological interest and wishes to secure the satisfactory removal of the archaeological remains and/or recording of the subsequent findings, as required by Policy CP11 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

31. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

32. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

33. To ensure adequate provision has been given to achieving biodiversity net gain, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and National Planning Policy Framework.

34. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

35. To ensure the site is adequately drained, having regard to Policy CP16 of the Wigan Local Plan Core Strategy and Policy EV1B of the Replacement Wigan UDP and National Planning Policy Framework.

36. To reduce the need to travel to and from the site by private vehicle and in order to promote sustainable modes of travel to and from the site having regard to Policy CP7 of the Wigan Local Plan Core Strategy and the Council's Travel Plans Supplementary Planning Document and National Planning Policy Framework.

37. To ensure a comprehensive form of development, having regard to Places For Everyone Policy JPA32 and the National Planning Policy Framework

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to identify solutions to ensure the proposal comprises sustainable development in accordance with the NPPF and complies with the development plan.

Informatives

1. Attention is drawn to the following information from the Local Authority. It is relevant to all proposals involving new build development.

   The proposed development lies within a coal mining area. In the circumstances when carrying out of their proposals applicants should take account of any coal mining hazards relating to stability, health and safety or adverse environmental impacts. This includes considering the potential for existing property and new development to be affected by mine gas. Such hazards may currently exist, be caused as a result of the

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proposed development, or occur at some time in the future. Developers must also seek permission from the Coal Authority before undertaking any operations that involve entry into any coal seams, coal mine workings or coal mine entries (shafts and adits) and the implementation of site investigations or other works. Failure to obtain such authority is trespass with the potential for court action. Developers must obtain property specific summary information from the Coal Authority on any past, current and proposed surface and underground coal mining activity and other ground stability information that could affect the development. Further information can be found at www.coal.gov.uk/services/planning/index.cfm.
The Coal Authority's Property Search Service can be contacted on 0845 762 6848 or at www.groundstability.com.

2. You are advised that this development may be subject to the requirements of the Building Regulations 2000. In this case you will need to meet the specific requirements of Approved Document M (2004 Edition) "Access to and use of buildings".

   The Building Regulations application must include an Access Statement showing your commitment to inclusive design at an early stage.
   For further design guidance refer to British Standard 8300:2001 "Design of buildings and their approaches to meet the needs of disabled people".
   You are also advised that the Disability Discrimination Act 1995 requires service providers to take reasonable steps to overcome any physical barriers which continue to make their services impossible or unreasonably difficult for disabled people to use. For further information on this please contact the Disability Rights Commission at: www.drc-gb.org

3. The applicant is advised that the grant of planning permission does not confer any right to enter onto or to carry out work(s) on, over or under land over which they do not have control, or have the landowners consent.

4. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, with the survey and written confirmation of such having been agreed in writing by the Local Planning Authority prior to the works commencing.

5. Any works on the highway must only be carried out with the express consent and approval of the Highway Authority. This includes the installation of dropped kerbs, any new vehicular access or alteration to an existing vehicular access. All redundant vehicular accesses adjacent to the site must be removed and appropriate footway construction reinstated. All changes to the highway layout that alter the layout, function or nature of the highway may require a Safety Audit or Safety Check. It is the developer's responsibility to check that these requirements are met.

6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

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www.gov.uk/government/organisations/the-coal-authority.

7. For noise and vibration please refer to BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014, Code of practice for noise and vibration control on construction and open sites, Part 1 Noise and Part 2 Vibration and other relevant legislation, standards and guidance. Our standard advised construction hours are Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00, no work on Sunday and public/bank holidays. CEMP controls and monitoring should include full and appropriate consideration of any identified land contamination issues. Please refer to Wigan Council's Guidance Note 'Construction Environmental Management Plans', August 2019 - https://www.wigan.gov.uk/Docs/PDF/Resident/Planning-and-Building-Control/Planning-guidance/Construction-Environmental-Management-Plans-guidance-note.pdf

8. The use of vibro/stone columns may not be suitable above grouted mine workings as they may provide a seepage pathway for ground gas (see Chapter 4.5.5, NHBC Standards). If the use of vibro/stone columns is proposed above grouted mine workings, this will need to be fully considered and detailed within the assessment and Gas Protection Design Report.

9. All site users should be made aware of any remedial measures incorporated within the development in order to break the pathway between any residual contaminants, including any ground gas, and the importance thereof. Remedial measures may include, but not limited to, clean capping layers to gardens, gas protection measures and water supply barrier pipe. As with all remedial measures, the integrity should be maintained and appropriate precautions taken should any future developments be undertaken at the site, i.e. extensions, conservatories, garages, landscaping and utilities etc., including the appropriate handling and disposal of any contaminated arisings generated by excavations.

   All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

10. For gas protection measures, the detailed design and specification of the protection measures should also be recorded in a design report (this can be appended to the remediation strategy), with the gas protection design, product specifications and verification plan being clearly defined and justified, as detailed within BS 8485:2015+A1:2019 and CIRIA C735.

11. Wigan Council has adopted the latest version of the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) Guidance 'Verification

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requirements for cover systems' (version 4.1, June 2021), which will need to be considered as part of any remediation strategy

12. It is advised that the environmental consultant and landscape architect work together and adopt a holistic approach to a clean cover system (if required) and landscape design in accordance with the Council's Landscape Design SPD.

13. The applicant is requested to note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property, i.e. coal seams and associated workings. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

14. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of Honksford Brook which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

    https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

    If an outfall into Honksford will be required as part of the development, a Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. The Environment Agency has a preference for structures set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course

15. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. However, this permission will not require the approval of a biodiversity gain plan before development is begun because the application was made before 12 February 2024.

16. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project

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- some naturally occurring clean material can be transferred directly between sites

  Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

17. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

18. It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

Date of decision
2nd October 2024

Signed
on behalf of the Council

NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Department for Communities and Local Government in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Department for Communities and Local Government has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Department for Communities and Local Government is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop the land is refused or granted subject to conditions, whether by the local planning authority or by the Department for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest

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in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Department for Communities and Local Government on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
(a) The statutory requirements are those set out in section 78 of the Town and Country Planning Act 1990, namely sections 70, 71 and 72 of the Act.

IMPORTANT NOTICE

Discharging planning conditions - Information is available on our website to explain the process this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Apply.aspx

Street naming and numbering is a legal function of the council to allocate numbers and road names to new developments and conversions
Information is available on our website to explain the process for requesting postal addresses and street names this can be accessed via the following link:
http://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Street-naming/index.aspx

Should your planning permission relate to residential development, on completion of the above street naming and numbering process waste and recycling bins for the new properties can be ordered by following the links below:

https://www.wigan.gov.uk/Docs/PDF/Resident/Bins-Recycling/Developers-Guide-Bulk-Bin-Deliveries.pdf

https://developerbins.wigan.gov.uk

Please be aware that you will need a street name and numbering reference number to complete the waste and recycling bin order process.

This is NOT a consent under the Building Regulations.

These documents grant approval of your application submitted under the Town and Country Planning Act 1990 only and do not imply the Council's approval to any other consents which may be required. It is your responsibility to obtain any such other consents.

Before commencing work you should ensure that approval is obtained under the Building Regulations 2000 and/or any other Act.

Please note that different time limits for starting development usually apply to Planning Permission and approval under the Building Regulations. If Building Regulation works are not commenced within 3 years from the date of deposit, a

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new application must be made.

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From: [redacted]
Subject: RE: [External] RE: Caddick - officer report
Date: 13 February 2025 20:15:01
Attachments: image001.jpg

Yes, should have said shortly after. Clearly time for bed.

Cheers

[redacted]
Team Leader – Transport Policy
Wigan Council – Place Directorate
Wigan Town Hall, Library Street, Wigan, WN1 1YN
[redacted]
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www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: Jones, Michael <Michael.Jones@wigan.gov.uk>
Sent: 13 February 2025 20:14
To: Riley, Steven <Steven.Riley@wigan.gov.uk>
Subject: RE: [External] RE: Caddick - officer report

[redacted]

In the sentence below, was it meant to read meant with the applicant shortly after the 16th?

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 13 February 2025 19:53
To: [redacted]>
Subject: RE: [External] RE: Caddick - officer report

Hi [redacted]

I understand the confusion as the last set of comments I provided was on the 16 October 2024. I met with the applicant shortly to discuss the issues, and they agreed to provide the connection to the consented adjacent employment development, upgrade SCOOT at the A58 Gerard Street/A49 Warrington Road/A58 Liverpool Road/Bryn Street junction, provide the active travel connection via Woods Lane and provided evidence to justify the parking provision. I delayed writing up a final set of comments due to the misunderstanding about the connection. Apologies, it slipped my mind completely.

The wording in the report is the final response, which as you say, I had input into writing. If you need anything further, please let me know.

Kind Regards

[redacted]

[redacted]
Team Leader – Transport Policy
Wigan Council – Place Directorate
Wigan Town Hall, Library Street, Wigan, WN1 1YN
[redacted]
[redacted]
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www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 13 February 2025 10:34
To: [redacted]
Subject: FW: [External] RE: Caddick - officer report

Hi[redacted]

I refer to the correspondence below regarding the Lockett Road application and consultation responses. If you read my email to Gaz, you will understand the query which relates to the highway consultations on the scheme.

Firstly, can I check if you sent a further consultation response on the Caddick (Lockett Road) application following the 16th October 2024? If not, following your input in the consultation response on the Case Officer Report, which is attached above, can we conclude that the wording in the report is the final response, but would you be able to inform us of any additional correspondence or discussions you may have had with their consultant (if any following the 16th October) to add context to the reasoning.

More than happy to discuss with you. I am happy to conclude that the wording in the report is the final response, which you have had input in

providing.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
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www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]>
Sent: 12 February 2025 20:52
To: [redacted]
Subject: RE: [External] RE: Caddick - officer report

Evening [redacted] yes you can, but you'll have to discuss with [redacted] as you can conclude that his final response is as per the report, but that will need context in terms of how we arrived at the highways comments in the report as a result of what meetings / info from the applicant since October.

Regards,

[redacted]
Service Manager - Development Management & Building Control
Place Directorate

From: [redacted]
Sent: 12 February 2025 19:13
To: [redacted]
Subject: FW: [External] RE: Caddick - officer report

[redacted]

Just on the above request for the additional highway consultations, I have attached the second consultation which still raised concerns on the scheme. However, [redacted] has had input into the consultation response set out within the Officer Report. Are we ok to confirm this, as it has been completely summarised by [redacted], following his involvement on the planning application.

Regards

[redacted]

Principal Planning Officer – Development Management
Place Directorate
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Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
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From: [redacted]
Sent: 12 February 2025 19:04
To: [redacted]
Subject: RE: [External] RE: Caddick - officer report

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Hi [redacted]

Many thanks for the swift response and confirming the report has now been uploaded.

Could you also provide the further consultation response from [redacted] confirming that his previous objections in the attached response from August 2024 had been fully addressed please. Apologies in advance if I've missed this on the website but the August response seems to be the latest Highways response.

Kind regards,

[redacted]

From: [redacted]
Sent: 12 February 2025 16:30
To: [redacted]

[redacted]
Cc: Proctor, David <D.Proctor@wigan.gov.uk>; [redacted]
[redacted]
[redacted]
Subject: [External] RE: Caddick - officer report

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[redacted]

The Delegated Report is available on-line. The planning portal file for the application can be accessed via the following link.

Search and comment on planning applications

Application number is A/24/97381/OUTMAJ.

Regards

[redacted]
Principal Planning Officer – Development Management
Place Directorate
Wigan Council
Wigan Life Centre (South Site), College Avenue, Wigan WN1 1NJ
[redacted]
www.wigan.gov.uk
www.twitter.com/wigancouncil
www.facebook.com/WiganCouncilOnline

From: [redacted]
Sent: 12 February 2025 15:26
To: [redacted]
[redacted]
Cc: Proctor, David <D.Proctor@wigan.gov.uk>; [redacted]
[redacted]
[redacted]
Subject: Caddick - officer report

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[redacted]

Further to planning permission being granted for Caddick's site, please could you provide a copy of the delegated officer report please as this isn't available to view on the Council's website. I'd be grateful if this could be issued as swiftly as possible please so Glenbrook have adequate time to review before our upcoming meeting with [redacted] and [redacted]

Many thanks,

[redacted]

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