



Astley Warehouse Action
Group

Our reference: ABP20/11/2025
Your reference:
Please ask for: Aidan Thatcher
Extension:
Direct line: 07917 642777
Date: 20th November 2025

Dear Astley Warehouse Action Group,

Thank you for your continued engagement and for raising your concerns regarding the warehouse development at Astley Business Park.

We have carefully considered your request for a temporary stop notice. We have revisited the legislation and the grounds that can potentially be used to justify service of such a notice, and have reviewed the facts of the case in detail including a further site visit. Following a thorough review of all of the issues raised and receipt of legal advice, the Council's clear conclusion is that there is no legal basis to enact such a request, as there has been no breach of planning control. In these circumstances if we were to issue one, we would be acting unlawfully, and at risk of incurring significant adverse costs to the taxpayer. The advice received supports our findings. We have attached a copy of our advice for your reference: this is a complex legal area with significant exposure for the Council if used without proper justification, so the advice sets out the position in some detail.

As part of our commitments to regularly monitor the works at the site, and to ensure we had the latest position available, our officers attended the site earlier this week to review the locations and heights on the bunds and to review the reported flooding issues. They directly witnessed, and took photographic records of, the readings given by calibrated surveying equipment at multiple points on the bunds around the perimeter of the site, and walked the locations where residents have reported flooding.

In relation to the bund heights:

- All the bunds are still to receive final finishing and forming, as the site is still under construction. (In line with the planning permission, the bunds are not required to be in their final form until the site is occupied).

- There is a bund still to be formed in the south east corner of the site – this has not yet been constructed as the contractor required access to this area to carry out other work.
- On the basis that the bunds are still to be finished, at this point in the construction process we are satisfied that they are being constructed in accordance with the approved plans.

In relation to flooding:

- We have been made aware of water ponding in a resident's garden following heavy rain over the weekend. To investigate this further we would need to establish whether there is now a repeated issue following heavy rain, so we would ask the resident to report any further instances to me directly using my email address aidan.thatcher@wigan.gov.uk
- Our officers have viewed the area of the path between Tanhouse Avenue and Garrett Hall Primary School, which at the time of inspection had water ponded on it. This does appear to be a natural depression in the surface of the path at this point, so it is not clear whether the issue is connected to the development. The water on the path was not silty as we would have expected if it had run off the uncovered bund next to the path. If there continues to be an issue at this location we will investigate options to raise the level of the path.

In line with our commitment to openness and transparency, Wigan Council will commission an independent audit of the handling of the planning application, but please be aware that this cannot revisit the actual planning application decision itself. This audit will be undertaken by a fully independent body with no connection to the Council or the developer. After extensive research, we have identified the Planning Officers Society as the most suitable organisation to conduct this review. Their mission statement is as follows:

"Our aim is to ensure that planning makes a major contribution to achieving sustainable development in ways that are fair and equitable and achieve the social, economic and environmental aspirations of the community."

Further information about the Society can be found at: www.planningofficers.org.uk

The terms of reference for the audit will include:

- Reviewing whether all statutory requirements in registering and publicising the application were met;
- Assessing the adequacy of consultation with internal and external consultees;
- Examining whether there is any inconsistency or ambiguity in the suite of plans and documents forming the planning permission.

The audit will be conducted as soon as possible. Upon completion, the findings will be reported to Cabinet Members, shared with your group, and published online to ensure full transparency.

Thank you once again for your ongoing engagement and for raising these important issues. We hope you will appreciate the legal constraints that exist here. Although a Stop Notice/Temporary Stop Notice is clearly not an option for the reasons that the advice sets out, the Council does remain committed to engaging with you, to listening to your concerns and to assisting where it is able. Should you have any further questions or wish to discuss these matters in more detail, please do not hesitate to contact us.

Yours sincerely,



Aidan Thatcher
Director of Place



David Proctor
Assistant Director, Planning and
Regeneration