

PLANNING COMMITTEE
Schedule of Supplementary Information

20th January 2022

**Members are advised of the enclosed information that was either
received or requested after the production of the planning applications report**

**Bolton
Council**

12218/21

Ward	Location
	LAND AT AND ADJACENT HULTON PARK, MANCHESTER ROAD, OVER HULTON, BOLTON, BL5 1BH

Committee Report Clarifications

Off-site works (Paragraph 38) – for avoidance of doubt, whilst off-site planting and habitat enhancement and specified off-site highways works are not part of the application, these works are described and assessed in the EIA and accompanying documentation (e.g. the Transport Assessment) and are essential mitigation. They will be secured through the grant of permission, by condition or obligation.

Dearden's Farm (Paragraph 147) – Not all Dearden's Farm buildings are to be retained, some lower quality and dilapidated buildings will still be demolished.

Affordable housing (Paragraph 229) – It is the case that the Applicant is offering 10% affordable housing. However the basis of the consented scheme was that the affordable housing provision was subject to a financial cap, equivalent to 10% of discounted market housing. The 10% offer in this application, which will deliver the Council's preferred tenure split, will generate a greater number of affordable homes than the consented scheme.

Transport MoU (Paragraph 283 onwards) – The MoU was endorsed by Bolton's Executive Member for Regeneration on Monday (17 January 2022). For avoidance of doubt, the potential areas of infrastructure investment which are the subject of the MoU fall beyond this application proposal and any commitments made by the applicant. The Applicant will be required to deliver the highways mitigation that arises out of the scheme but will not be obligated to deliver the wider MoU scheme.

Tree removal within Ancient Woodland (Paragraph 312) – The report refers to some of the trees to be removed being within Ancient Woodland at New Park Wood. This is incorrect. There is no removal of ancient woodland trees in New Park Wood.

Off-site woodland planting (Paragraph 313) – Off-site woodland planting will be secured via the Section 106. This supports the conclusion on beneficial effect.

Air Quality (Paragraph 315) - The Report confirms that the golf resort component of the Proposed Development has the potential to impact upon air quality during the construction, operational and Ryder Cup phases. For avoidance of doubt, the residential component would also have the potential to impact on air quality. Officers are satisfied that air quality has been robustly assessed as part of the application submission and a series of planning conditions are proposed to address this issue. There will be a Ryder Cup transport plan condition to promote sustainable forms of access to the event itself in addition.

Section 106 HoT (Paragraph 379) – In 'Off-site footpath improvements' incorrectly refers to enhanced connections to Westhoughton railway station. This isn't proposed. A range of improvements to the south of the site, connecting with the northern extent of Atherton, are proposed however.

Planning Balance/ Recommendation - For avoidance of doubt, Officers have considered the test in section 38(6) of the 2004 Act as well as the application of paragraph 11 of the NPPF. Officers' position is that the scheme conflicts with the development plan when read as a whole but benefits from the application of paragraph 11 of the NPPF. This was the approach of the Secretary of State/Inspector in relation to the Consented Scheme.

Annex – There are a range of consultation responses summarised which raise issues with the application material, or the application itself. For avoidance of doubt, the Applicant has sought to respond to these, supplying additional material where appropriate, or proposing conditions / obligations to address the comments.

Sustainability – The Applicant has sought to minimise the carbon impacts of the development. For example, there is a commitment to a BREEAM excellent rating on key golf resort buildings and proposals for net zero carbon across the scheme. A series of conditions are proposed to ensure this is embodied in the development. This was a matter which the SoS did not directly attribute weight to when determining the Consented Scheme but Officers considered that it appropriate to afford moderate, positive weight to it in the planning balance.

General Updates

Conditions

Members have been provided with a draft schedule of conditions, which Officers would recommend are attached to any permission if Members are minded to grant consent.

Since the schedule was finalised, an additional condition has been recommended by the Council's Environmental Health Officer which Officers would recommend is added to the schedule:

Prior to the demolition of any building, the developer must either submit evidence that the building was built post 2000 or an intrusive pre-demolition asbestos survey be undertaken in accordance with HSG264, and a mitigation plan be provided to reduce risks to potential occupiers. Following completion of measures identified in the approved survey, verification and/or completion documentation shall be provided to the Local Planning Authority to demonstrate the effectiveness of any asbestos removal works carried out.

Section 106 Agreement

A first draft of the Section 106 Agreement (which generally reflects the Heads of Terms set out in the Report) has been provided by the Applicant. The S106 proposed now will reflect the S106 and controls agreed with the Inspector and Secretary of State, if Members are minded to grant permission officers will work with the Applicants to agree the comprehensive drafting in the usual manner, ensuring it reflects the resolution of the Committee and authority to finalise the S106 agreement is delegated to the Director of Place (Development) in consultation with the Chair.

Additional Information

The Applicant has also submitted a Facility Planning Report from England Golf. This confirms:

- Within a 20-minute catchment the demand for golf is strong
- A low number of facilities in the catchment offer a driving range and/or other practice facilities; these facilities play an important role in introducing new golfers to the game.
- England Golf are supportive of the development in principle and see it as a great opportunity for a world class facility within the north of the Country.

The Applicant has provided the Council with drone footage and photographs for use/reference during the Planning Committee in light of a site visit not taking place. A reference plan, which shows the route of the drone across the Site, is appended to this document for Members' use during the meeting.

Very Special Circumstances

Officers have prepared a comparison table (below) to enable Members to understand how consistent their approach to considering VSC and the planning balance is with the SoS decision. In summary, Officer approach is generally consistent with that of the SoS and potentially more conservative in affording weight to benefits and more challenging.

Impacts	SoS Decision	Officer Recommendation
Harmful		
Impact on Green Belt	Very substantial	Very substantial
Heritage impact	Considerable	Significant
Landscape / visual	Moderate	Moderate
Loss of agricultural land	None	Limited
Limited loss of local employment	n/a	Some
Beneficial		
PROW	Moderate	Some
Footloose	n/a	Some
Economic	Very significant	Significant
Social (inc health and education)	Substantial	Significant
Cultural	Significant	Significant
Biodiversity and tree planting	Substantial	Moderate
Sustainability	n/a	Moderate
Housing delivery	Significant	Significant
Affordable housing	Initial 10% provision nil, beyond 10% limited	Initial 10% provision nil, beyond 10% some
Off-site highways improvements	Moderate	Significant (NB: highways proposals have changed since SoS decision)

Additional Representations

Members of the Public

Since the publication of the Officers' Committee Report additional representations from members of the public have been received. These are summarised below, alongside Officers' responses.

59 letters of objection (including 1 from HEART (Hulton Estate Area Residents Together)) and 2 letters of support have been received.

4 letters of objection (submitted prior to the publication of the Report) have been formally withdrawn on the basis of the amended plans showing retention of some of the buildings at Dearden's Farm.

Objections

Most of the issues raised are already covered in the representations section of the report however, the following additional matters have been raised in letters of objection:

- There has been an omission of the Pretoria Pit Park Memorial Garden and Community Memorial Garden that were key elements in the consultation proposal, without which the scheme is unsustainable and should be reinstated
- The application is dismissive of the heritage including the huge loss of life, the 3rd largest Mining Disaster in the UK when 344 men and boys perished on 21st December 1910
- The development had been seen as an opportunity to provide a commemoration of tragedy however, this opportunity will be lost if the scheme is approved as it fails to include details on important legacies including the preservation of the Pretoria Pit Memorial, the creation of the Pretoria Pit Park Memorial Garden and the creation of Community Memorial Garden
- The memorial should provide a fitting place for the tragedy, which impacted thousands of people, to be remembered
- There are sites of Biological Importance in or adjoining the park at Mill Dam Wood, Cow Lee Brook and New Park Wood
- Golf course landscaping and tree planting will destroy the design of the park and will degrade its historic significance, contrary to the Core Plan
- The housing will destroy the western setting of the park and development within it will erode its historic significance
- In respect of the recent submission of many new documents HEART consider that these do not deliver any significant improvements to the development but, in fact, worsen the harmful impacts of the proposal.
- The revised proposals will result in greater harm particularly as a result of significant harm to the proposed SAM, and the greater loss of mature trees and hedgerows to facilitate the proposed new access road.
- The newly proposed alternative access road, is equally dangerous and will also pose a threat of traffic backing upon the M61.
- HEART have been advised by local residents living North of the A6 of their concerns relating to noise disturbance and pollution from the proposed highway link to the M61.

- Concerns regarding the submission of additional information during the course of the application.
- Without the Ryder Cup the Golf Resort and Homes should be rejected as there is no unrestricted 'Principle' established.

Officer comment/response

Whilst not explicitly referenced as such in the Report, the proposed development incorporates the features detailed below. Officers consider these have been designed to enhance the interpretation of the coal mining legacy of the Site and go beyond the recognition paid in the Consented Scheme via inclusion of the Heritage Trail:

- 'Pretoria Park': located adjacent to New Park Wood and the Pretoria Pit, situated within the 'Full' application boundary, Pretoria Park will comprise a new public open space. This has been designed as a "quiet open space for reflection" linked to the importance of this area of the site to the local community following the Pretoria Pit disaster.
- 'Pretoria Pit Memorial Garden': this will be located to north of the proposed Woodland Drive access to the Park End Farm residential area, situated within the 'Outline' application boundary. This comprises the relocation and enhancement of the existing Pretoria Pit memorial and formation of a community memorial garden, including new planting and bench seating. The detailed design of the Memorial Garden would be developed pursuant to a Reserved Matters application for Park End Farm and Officers will therefore have the opportunity to influence its design.
- 'Pretoria Heritage Trail': this follows the southern boundary of the site and is in part full / part outline. The route is already partially established by existing PRoW's and informal trails but its importance is not currently clearly demarcated/interpreted. The Heritage Trail will include measures to increase the interpretation of the historical importance of coal mining to the area.

The biodiversity interest of the site and impact of the development is considered at Paragraph 300-307 of the Report. The Application is accompanied by a suite of up-to-date ecological assessments and the biodiversity effects of the proposals have been considered in the ES. Officers have concluded that, overall, the development will give rise to a substantial net gain in biodiversity, which is a clear benefit of the scheme.

The impact of the proposals on the significance of the RPG is considered at length in the Report. Officers acknowledge that some elements of the proposals give rise to harm to heritage assets, but these are moderated by clear benefits. They are of the view that, overall, investment in the Site and the associated restoration of the RPG is a significant benefit of the scheme.

The impact of the development on the Embankment has been carefully considered by Officers and a precautionary approach applied. The degree of harm is less than substantial and Officers consider that the public benefits outweigh this harm, as detailed in the Report.

The new access road from the M61, via Snydale Way, has been considered at length by National Highways and the local highways authority. They have concluded that,

not only is it appropriate and that it will operate safely and efficiently, but that the proposed access arrangement will deliver material benefits for the local and strategic network by avoiding additional trips through Chequerbent roundabout and diverting additional trips away from this already congested junction.

Officers accept that this is a complex submission. However, an application of this scale must be considered robustly and this necessitates the preparation of numerous plans, documents, assessments and reports. The information has been published and made available for comment in accordance with all relevant regulations and the Council's own policies.

Any permission granted would be conditional upon the Ryder Cup being granted, as detailed in the Report. A planning obligation is proposed which prevents any and all development until the hosting rights for the tournament have been appropriately confirmed. The SoS was content that the obligation gave sufficient security on this matter when approving the Consented Scheme.

An additional technical (noise) representation has also been received on behalf of the occupants of Knowles Bridge Farm. The concerns and queries set out can be summarised as follows:

- Concerns about efficacy of proposed acoustic barrier due to proposed road level
- Woodland planting should not be included in the noise attenuation predictions
- Concerns about veracity of noise assessment in relation to traffic noise uplift, commercial uses, school uses
- Property should be included in construction noise impact assessment
- Query whether a baseline vibration survey been carried out with subsequent construction and operational assessments
- Potential impact on outlook/sense of enclosure for residents due to proposed acoustic fence
- Impacts of major outdoor events haven't been considered fully
- Queries whether proposed conditions associated with operational use will be enforceable

The Applicant has responded to this, providing a Briefing Note from their noise consultants which includes a specific noise assessment for Knowles Bridge Farm, and seeks to answer questions posed on behalf of the property occupiers. It concludes that the findings of the Environmental Statement remain applicable, i.e. that no significant impacts from noise will arise at Knowles Bridge Farm. The assessment confirms that whilst road traffic noise levels near to Knowles Bridge Farm are predicted to increase, the noise impact associated with the project will not be significant.

The noise consultant representing the occupiers of Knowles Bridge Farm has raised concerns about the timing of this. Officers note that the Briefing Note includes nothing in the way of "new" information, it simply seeks to re-present information that has been available since the submission of the application in a manner which is targeted to address the points raised in the objection.

Officer comment/response

The impact of the development on Knowles Bridge Farm was considered in the Officer Report (paragraph 317-320). They remain of the view that the assessment of impact on the property submitted with the application is robust.

It is considered that the proposed mitigation, including a 1.8m acoustic fence and limiting the operational hours of the Academy will further help to alleviate noise impacts. It is also considered that woodland planting around the Farm will also limit impacts, including visual impacts from the proposed road, Academy and acoustic fence.

Similar outdoor events to those proposed take place frequently, and throughout the borough. The Council's EHO has advised other events have been in closer proximity to residential properties and the organisers have been able to manage them in line with available guidance. Acceptable noise limits will be proposed in the Noise Management Plan. As per all events within the borough, approval of the Safety Advisory Group will be required.

A series of planning conditions to control noise are proposed. These mirror those considered appropriate by the SoS and Officers have also included some additional conditions to ensure a further level of control and comfort for residents.

Support

Most of the benefits raised in the letters of support are already covered in the report however, the additional matters were raised in letters of support:

- The development would contribute and add significant value to the sporting offer and greater Manchester has pedigree and experience delivering major events
- The revised transport proposals will deliver new capacity
- The proposal will provide new services to the local network through health and leisure benefits, a new school, village hall, food & drink hub and wellbeing centre
- The revised proposals result in less Green Belt development and more retained open parkland
- The proposal will provide a more inclusive approach to golf development for underrepresented groups
- The Ryder Cup Legacy Package would contain many benefits to disabled golfers

Officer comments/response

Officers are mindful of these and other benefits in coming to their recommendation.

Consultees

The following comments were received from consultees after the publication of the report:

Consultee	Nature of Response	Summary of Response
Dixon Searle	Comment	The viability submission has been approached

Consultee	Nature of Response	Summary of Response
Partnership		<p>comprehensively. Given the above, our overview is that at this point in time the proposal for 10% affordable housing may be considered a reasonable one.</p> <p>It is recommended a review mechanism should be considered within the s.106 where the affordable housing target should be re-checked. There is a good possibility that the scheme longer term will be shown to be more viable than currently presented. However, there is uncertainty as to how the scheme may vary.</p>
Greater Manchester Fire and Rescue Service	Comment	The proposal should meet the requirements for Fire Service access although they are unable to make comment within the required time scales.
Bolton Ramblers	Objection	<p>Opposed to building on green field sites unless there is significant benefit in it being approved.</p> <p>There are good things about the plans but not sufficiently substantial to justify the loss of so much green space.</p> <p>There are lost opportunities with the development as significant improvements could have been made with the network of PRowS. There are enormous concerns over safety of walkers using WES211 which crosses the M61 roundabout at junction 5. It is dangerous now and will be more dangerous if an extra junction is added.</p> <p>There are concerns over the guarantees of the full implementation of the Public Rights of Way Strategy.</p>

Officer comment/response

Dixon Searle – Dixon Searle are independent consultants appointed to advise the Council on viability of the project. Officers have been liaising with them informally for some time and had the benefit of informal advice when preparing their report. The more formal advice does not change their overall conclusion. Viability review mechanism is included in the Section 106 heads of terms and planning permission will not be granted without this being secured.

Fire Service – Officers are satisfied that fire access regulations will be complied with since Building Regulations approval and/or relevant licenses (for the non-residential uses) will not be forthcoming unless and until this is the case. The residential proposals are the key area of interest and these are submitted in outline and the detail will therefore be considered at detailed design stage.

Bolton Ramblers – Officers have sought to maximise opportunities for improving the existing PRow network as part of the development and the proposals deliver

additional benefits beyond the consented scheme in relation to PRow provision and additional permissive paths across the Site. Pedestrian safety has and will be carefully considered by the relevant highways authorities when considering the detailed design of all highways infrastructure both on and off-site.

Over Hulton Neighbourhood Plan Forum

The Over Hulton Neighbourhood Forum has sought to provide an update on the progress of the Neighbourhood Plan. They have reiterated the process by which the Plan has been prepared, which has included significant engagement with local people. Whilst they recognise that the Plan should seek to meet housing targets for the area, they wish to have control over how these targets are met.

Officer comment/response

The emerging Neighbourhood Plan has been taken into account in the Officer Report (paragraphs 67-69). It remains that the Plan is at a relative early stage of preparation, having not yet been submitted for examination, and there are outstanding objections to relevant policies within it. It does not recognise the existence of the Consented Scheme and includes several provisions which are contrary to it. Very little weight can be afforded to it in decision-making at present.

