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## Appeal Decision

Inquiry Held on 6-7 October 2022

Site visit made on 5 October 2022

**by D M Young JP BSc (Hons) MPlan MRTPI MIHE**

an Inspector appointed by the Secretary of State

Decision date: 25<sup>th</sup> October 2022

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**Appeal Ref: APP/N4205/W/22/3299644**

**Land at and adjacent Hulton Park, Manchester Road, Over Hulton, Bolton BL5 1BH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Peel L&P Investments (North) Limited against the decision of Bolton Metropolitan Borough Council.
- The application Ref 12218/21, dated 17 September 2021, was refused by notice dated 28 February 2022.
- The development proposed comprises:
  - Part A: A full planning application for restoration works to Hulton Park and various existing structures and heritage assets within it, including the pleasure grounds, dovecote, walled garden and lakes; the demolition of various existing buildings and structures; the development of a golf resort, including an 18-hole championship-grade golf course, clubhouse, golf academy (comprising driving range, practice course, adventure golf course and academy building with sports and learning facilities, a golf shop and cafe), a hotel with adjoining spa and conference facility, and other ancillary buildings, structures and engineering and landscape works including a maintenance building, highway accesses, internal access roads, highway underpass, various bridges, boundary treatments, external lighting, parking areas and new and replacement landscaping and open space; highways infrastructure; and, where applicable, the re-routing, upgrading and extension of the public rights of way network and the creation of new public rights of way, footpaths and trails.*
  - Part B: An outline application for the residential development of up to 1,036 dwellings; a village centre; village hall; community allotments; primary school; short stay holiday accommodation, comprising the conversion of home farm cottage and the construction of a mews building, cabins and lodges; and a range of other retail, leisure, recreation, community and food & drink-related uses; highways infrastructure; the regrading of land to accommodate the golf course and staging and subsequent regrading for residential development; and, where applicable, the re-routing, upgrading and extension of the public rights of way network, and the creation of new public rights of way, footpaths and trails, with all matters reserved except for (in part) access, and in respect of the short stay holiday accommodation, layout.*

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### Decision

1. The appeal is allowed and full planning permission is granted for restoration works to Hulton Park and various existing structures and heritage assets within it, including the pleasure grounds, dovecote, walled garden and lakes; the demolition of various existing buildings and structures; the development of a golf resort, including an 18-hole championship-grade golf course, clubhouse, golf academy (comprising driving range, practice course, adventure golf course and academy building with sports and learning facilities, a golf shop and cafe),

a hotel with adjoining spa and conference facility, and other ancillary buildings, structures and engineering and landscape works including a maintenance building, highway accesses, internal access roads, highway underpass, various bridges, boundary treatments, external lighting, parking areas and new and replacement landscaping and open space; highways infrastructure; and, where applicable, the re-routing, upgrading and extension of the public rights of way network and the creation of new public rights of way, footpaths and trails. Outline planning permission is granted for the residential development of up to 1,036 dwellings; a village centre; village hall; community allotments; primary school; short stay holiday accommodation, comprising the conversion of home farm cottage and the construction of a mews building, cabins and lodges; and a range of other retail, leisure, recreation, community and food & drink-related uses; highways infrastructure; the regrading of land to accommodate the golf course and staging and subsequent regrading for residential development; and, where applicable, the re-routing, upgrading and extension of the public rights of way network, and the creation of new public rights of way, footpaths and trails, with all matters reserved except for (in part) access, and in respect of the short stay holiday accommodation, layout at land at and adjacent Hulton Park, Manchester Road, Over Hulton, Bolton BL5 1BH in accordance with the terms of the application, Ref 12218/21, dated 17 September 2021, subject to the conditions set out in the schedule to this decision.

### **Preliminary Matters**

2. The Inquiry sat for 2 days on 6 and 7 October 2022. An unaccompanied site visit was carried out on 5 October in accordance with an itinerary agreed with the Appellant and Council. With agreement of the same, a second site inspection was not deemed necessary.
3. A signed copy of the s106/106a agreement was submitted after the close of the Inquiry. The proposed planning obligations need to be assessed against the statutory Community Infrastructure Levy (CIL) tests, a matter I return to later.
4. Statements of Common Ground (SoCG) were submitted prior to the Inquiry, and I have had regard to these in reaching my decision.<sup>1</sup>
5. I held a pre-Inquiry Case Management Conference on 8 August 2022 to discuss the arrangements for the Inquiry. A summary of the conference was subsequently sent to the main parties.
6. The Council is unable to demonstrate a five-year supply of deliverable housing sites. Key policies of the development plan<sup>2</sup> are also inconsistent with the National Planning Policy Framework (the Framework).<sup>3</sup> The development plan is therefore out-of-date and this limits the weight I can attach to those policies which are concerned with the supply of housing.
7. The application was submitted with a significant body of supporting information and drawings including an Environmental Statement (ES) under the Environmental Impact Assessment (EIA) Regulations.<sup>4</sup> The information

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<sup>1</sup> CDs 10.1-10.7

<sup>2</sup> The Bolton Core Strategy Development Plan Document (the CS) adopted March 2011; the Bolton Allocations Plan Document (the AP) adopted 2014 and the Greater Manchester Minerals and Waste Plan adopted 2013

<sup>3</sup> Most notably Green Belt and heritage policies

<sup>4</sup> CD: 05a.276 – 05a.622

provided has been taken into account in this decision, alongside all the other written and oral evidence.

## Background

8. A similar planning application was submitted in 2017.<sup>5</sup> This was subsequently 'called-in' by the Secretary of State (SoS) and considered at a 9-day Inquiry in October 2019. Following a resolution to approve, the Council's position at the original Inquiry was one of support. Opposition was led by Hulton Estate Area Residents Together (HEART) who appeared as a Rule 6 party.<sup>6</sup>
9. Having heard arguments for and against the scheme, the Inspector submitted a detailed 190-page report to the SoS recommending that planning permission be granted.<sup>7</sup> Inter alia, the Inspector recognised the "*enormity*" of benefits that would be delivered by the development in part due to hosting the Ryder Cup (RC) at Hulton Park. Moreover, the Inspector found the scheme would:
  - Generate significant economic benefits in an area which lags behind economically with higher levels of deprivation and economic inactivity;
  - Represent the optimum viable use for the Registered Park and Garden (RPG);
  - Deliver significant ecological gains; deliver housing in an area of significant need; provide tangible public access benefits and,
  - Significantly improve the operation of the Chequerbent roundabout, a local congestion hotspot.
10. The SoS agreed with the Inspector's recommendation and granted permission in July 2020 (hereafter I shall refer to this as "the consented scheme").<sup>8</sup>
11. The current appeal scheme stems from the Appellant's desire to amend the design of the golf course following feedback from RC Europe. As part of the resubmission there was an opportunity to revisit certain aspects of the consented scheme with the aim of enhancing the benefits and reducing the harms associated with it. What followed was a process of community and stakeholder engagement<sup>9</sup> which resulted in enhanced public access to the site, an improved package of highway measures, additional community facilities such as allotments and a village hall and a significant reduction in the amount of Green Belt development and interventions in and around the RPG.
12. As a consequence of the changes<sup>10</sup>, the scheme was supported at the application stage by a range of stakeholders including the Council's own officers who considered that the "*case for the current scheme is stronger than it was for the consented scheme*".<sup>11</sup> Against the background set out above, I have little doubt that the planning committee's decision to refuse planning permission, against the advice of its own officers, must have come as a significant shock to the Appellant.

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<sup>5</sup> LPA Ref: 00997/17

<sup>6</sup> HEART Proofs CDs 09.25-09.27b

<sup>7</sup> PINS Ref: APP/N4205/V/18/3208426 CD:09.01a

<sup>8</sup> CD: 09.01b

<sup>9</sup> Details provided in the Statement of Community Involvement CD: 05a.264

<sup>10</sup> See paragraph 5.9 of Mr Bell's Proof of Evidence

<sup>11</sup> Officer Report (OR) Executive Summary CD02.2

13. Three reasons for refusal were subsequently drafted. The first concerns the impact of the development on congestion and clean air, the second relates to the impact on watercourses and the third alleges conflict with local and national Green Belt policy.<sup>12</sup> However, the matter does not end there. Following the submission of the appeal, the Council sought legal advice with regards to its decision. Having reflected on that advice, it informed the Inspectorate that it would not be defending its reasons for refusal at the Inquiry.<sup>13</sup> In the aftermath of that decision, HEART also withdrew its Rule 6 request, leaving the Appellant as the only formal party to the Inquiry.
14. It is a fundamental principle of the planning system that like cases should be determined in a like manner. Therefore, the fact that the SoS has recently granted planning permission for a similar scheme on substantially the same site, under virtually the same policy context, following a long public Inquiry and very careful consideration of all the relevant evidence, is a material planning consideration of paramount importance and weight.
15. Moreover, because the Appellant has confirmed the consented scheme would be implemented in the event I were to dismiss this appeal, a powerful fallback position has been established. In these circumstances, there are only two conceivable scenarios where permission for a revised scheme should be withheld; first, if there had been a material change in circumstances (for example the adoption of some new local/national policy) or, second, if changes to the consented scheme gave rise to additional harm such that the planning balance would be tipped in favour of a refusal.
16. Based on the foregoing and as explained at the Inquiry and Case Management Conference, my approach has been to benchmark the current appeal proposal against the consented scheme. This decision therefore needs to be read alongside the previous Inspector's Report.<sup>14</sup>

### **Site, Surroundings and Proposed Development**

17. The application site and the proposals are described and illustrated in detail in the OR, Section 3 of the Planning Statement<sup>15</sup> and chapter 3 of the ES<sup>16</sup> and Principal Statement of Common Ground.<sup>17</sup>
18. Briefly, the appeal site is approximately 356.77 hectares (ha) in size and comprises land at and adjoining Hulton Park, a Grade II listed RPG which once formed the estate to Hulton Hall. A significant proportion of the site (295.7ha) is within the designated Green Belt.
19. The appeal site comprises all of the land subject to the consented scheme as well as two additional areas known as Northern Fields and Chequerbent<sup>18</sup>. The latter contains the Chequerbent Railway Embankment which is now a Scheduled Ancient Monument (SAM).

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<sup>12</sup> Decision Notice CD: 02.01

<sup>13</sup> CD: 02.08

<sup>14</sup> CD: 09.01a

<sup>15</sup> CD: 05a.262

<sup>16</sup> CD: 05b.120

<sup>17</sup> CD: 10.1

<sup>18</sup> See areas 11 and 12, Figure 5.2 CD10.1

20. The appeal scheme involves the delivery of 2.5ha of new native species woodland planting on land at Hermon Bank Farm located to the north of the M61 motorway.
21. The proposed development comprises two parts. The first involves full planning permission for restoration of the RPG by providing a championship-grade golf resort which encompasses a golf course, clubhouse, academy, hotel complex, and all ancillary buildings, structures, access and works – and for the re-routing, upgrading and extension of existing Public Rights of Way and the creation of new footpaths.<sup>19</sup>
22. The second element involves outline planning permission for the residential development of up to 1,036 dwellings, a village centre, village hall, community allotments, primary school, short stay holiday accommodation, comprising the conversion of Home Farm Cottage, a range of other retail, leisure, recreation, community and food and drink-related uses and highways infrastructure.
23. As set out above, I intend to focus on the changes between the current and consented schemes. These are set out in full at paragraph 5.9 of Mr Bell's Proof of Evidence (PoE) but can be summarised as follows:
  - 1) Amendments to the golf course design set out in Ross McMurray's PoE which follow feedback from RCE and UK Sport. These changes extend the course westwards into Western Fields and Chequerbent and help to reduce the number of interventions in the historic core of the RPG<sup>20</sup>.
  - 2) The clubhouse has been moved eastwards to the opposite side of the Hulton Hall access road.
  - 3) The maintenance compound has been relocated to the southern extent of the site to improve the efficiency of connections across the golf course but remains the same scale and design as consented.
  - 4) There is additional overnight accommodation for visitors including a new 'restaurant with rooms' hotel and dining through the retention, renovation, and extension of Home Farm Cottage (which was previously proposed to be demolished), and new lodges and 'getaway' cabins.
  - 5) The proposed residential development on Western Fields, and within the Green Belt, has been reduced by approximately 18%, with residential development now located at South Chequerbent which is designated as 'Other Protected Open Land'.
  - 6) The introduction of a series of new community facilities such as a new health and wellbeing hub, a flexible retail, food and drink venue (known as Chequerbent Barns), a local retail store, a local centre, a primary school, and community allotments.
  - 7) A village hall and retail unit are proposed within the Dearden's Farm residential parcel plus the retention rather than demolition of the majority of farm buildings.
  - 8) The provision of a road link known as Park Avenue between A58 Snydale Way to the north of the appeal site and North Road to the south, crossing

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<sup>19</sup> Permissive paths rather than new Public Rights of Way

<sup>20</sup> See Rebecca Knight and Ross McMurray's PoEs

the A6 via a new roundabout. The link road would involve the construction of a 20-21m cutting across the SAM.

- 9) Greater levels of public access into the site, through and around the core of the RPG where no public access currently exists.
- 10) A commitment to deliver a net-zero carbon development, through an extensive array of energy-use reduction and efficiency measures.<sup>21</sup>

### **Policy Context**

24. The only material change to the Planning Policy set out in section 4 of the previous Inspector's report is the progression of the emerging Greater Manchester joint plan known as "*Places for Everyone*" to Examination stage with Hearings scheduled to commence in November 2022.<sup>22</sup>
25. Although the emerging plan is evidently at a more advanced stage than it was at the time of the original Inquiry, it is still subject to a significant number of objections and therefore attracts limited weight.<sup>23</sup> The Over Hulton Neighbourhood Development Plan is still at an early stage of preparation and also attracts limited weight in the determination of this appeal.
26. In light of the above, the policy context for this appeal is for all intents and purposes the same as the consented scheme.

### **Main Issues**

27. The main issue is whether the harm to the Green Belt, and any other relevant harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it. However, in light of the background set out above, I intend to focus on the following:
  - Whether the scheme changes would give rise to additional Green Belt and/or other harm beyond that associated with the consented scheme.
  - Whether the scheme changes would result in the same level of benefits to be weighed against the harm.
  - Dependent on the above, whether very special circumstances still exist for the proposed development.

#### *Green Belt Harm*

28. Inappropriate development in the Green Belt is (by definition) harmful to the Green Belt and will inevitably impact the purposes of including land within it and negatively affect its openness. Approximately 83% of the appeal site is within the Green Belt.
29. While not all the development in the Green Belt would be inappropriate, it is agreed that overall, the scheme must be seen as inappropriate development in the Green Belt. It is further agreed that there would be harm to openness as well as Green Belt purposes (checking the unrestricted sprawl of large built-up areas and safeguarding the countryside from encroachment).

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<sup>21</sup> See CDs: 05a.271 & 05a.272

<sup>22</sup> CD: 09.41

<sup>23</sup> Principal SoCG paragraph 8.4 CD: 10.1

30. Although there would still be new houses in the Green Belt for example at Chequerbent Banks, Park Rows, Dearden's Farm and Park End Farm, the Appellant calculates that the relocation of housing to South Chequerbent has reduced the amount of residential development in the Green Belt by 32.4% compared to the consented scheme. This is depicted clearly on the Green Belt Comparison Plan.<sup>24</sup>
31. While this figure was not challenged, objectors pointed out that the appeal scheme includes additional Green Belt development in the form of holiday accommodation and a restaurant. While that is so, these new structures would be limited in their number and scale. Accordingly, on any fair-minded analysis, the appeal scheme would result in significantly less inappropriate development than the consented scheme where all of the 1,036 homes were within the Green Belt.
32. It follows, largely as a matter of logic, that the amount of definitional harm as well as harm to openness and purposes would all be commensurately reduced under the current scheme. That was the position clearly set out in the OR<sup>25</sup> and remains the agreed position in the Principal SoCG.<sup>26</sup> The reduction in Green Belt harm is a significant 'other consideration' weighing in favour of the scheme.
33. Notwithstanding the above, there would still be very substantial harm to the Green Belt. It is therefore necessary for very special circumstances to exist if the development is to be approved. I undertake that balancing exercise later in my decision.

#### *Heritage - RPG*

34. There are two principal heritage assets impacted by the current appeal scheme: the RPG<sup>27</sup> and the SAM.<sup>28</sup> The appeal scheme does not propose any changes to the consented scheme in respect of the Grade II listed Dovecote, I do not therefore need to consider this matter.<sup>29</sup>
35. It is agreed between the main parties that there would be harm to the RPG caused by the proposed interventions, including the holiday lodges and restaurant. However, it is also acknowledged there would be less harm in the area of greatest heritage significance and sensitivity (the historic core of the parkland) when compared to the consented scheme.<sup>30</sup> It is worth noting that the previous Inspector considered "*changes to landform*" in the most sensitive parts of the RPG to be one of most harmful aspects of the consented scheme.<sup>31</sup>
36. While HEART<sup>32</sup> raised concerns about the extent of cut and fill operations particularly in and around the proposed waterbodies, the amount of regrading in the more sensitive parts of the RPG would be less than previously consented. The harm caused by these changes were specifically taken into account in the previous Inspector's finding of 'less than substantial' harm.<sup>33</sup>

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<sup>24</sup> ID08

<sup>25</sup> Paragraph 133

<sup>26</sup> CD: 10.1 paragraph 9.63

<sup>27</sup> Listing Entry CD: 09.05

<sup>28</sup> Listing Entry CD: 09.07

<sup>29</sup> Listed building consent has already been granted by the Council for the restoration of the Dovecote.

<sup>30</sup> Principal SoCG paragraphs 9.5-9.8

<sup>31</sup> See paragraph 14.213 CD: 09.01a

<sup>32</sup> See statement from Elaine Taylor ID06

<sup>33</sup> See paragraphs 14.206-207 & 14.213

37. On the other side of the coin, there are additional heritage benefits to the RPG beyond those identified by the previous Inspector. Principally these arise from the increased public access to the site particularly the historic core of the RPG. These improvements would enable the public to better understand, appreciate and enjoy the RPG. In my view that would be a tangible heritage benefit.
38. I have carefully considered the representations made by Elaine Taylor (a local historian)<sup>34</sup> and the CPRE<sup>35</sup> who both argue the golf course would result in 'substantial harm' to the RPG. That represents something of a re-running of HEART's case at the original Inquiry<sup>36</sup> and was not accepted by the previous Inspector. As was explained at the Inquiry, a finding of substantial harm is a deliberately high bar which the Planning Practice Guidance (PPG) recognises "*is unlikely to be reached in many cases*".
39. In my view, given the findings of the previous Inspector and SoS in relation to a more intrusive scheme, an allegation of substantial harm to the RPG is simply not credible. Considering the lesser harm and increased benefits set out above, I find that the effect of the proposals on the RPG would be tipped in favour of enhancement.

#### *Heritage - Chequerbent Railway Embankment*

40. The Park Avenue link road connecting the A58 and A6 involves cutting across the Chequerbent Railway Embankment which was designated a SAM after the Council refused planning permission. Despite that, the Council and Appellant adopted a precautionary approach which assumed that the Scheduling Application would be successful<sup>37</sup>. It was therefore assessed at the application stage as if it were a heritage asset.<sup>38</sup>
41. The SAM is 550m in length, beginning around 30m north of the A6 and ending along the south side of the M61 embankment. It forms part of the now-disused Bolton to Leigh Railway which was one of the very earliest passenger lines. The overall height of the embankment is around 4m, although its height varies on the east side where the ground is undulating. The line was previously cut to facilitate construction of the M61 motorway in 1970, which removed around 250m of the north end of the embanked section.
42. The Appellant has submitted a Chequerbent Embankment Mitigation Framework with the appeal. This was developed in consultation with the Greater Manchester Archaeology Advice Service (GMAAS) and Historic England (HE) and seeks to establish the strategy and principles for the repair, preservation and appreciation of the embankment.
43. The section of embankment within the appeal site is largely hidden from public view and in poor condition. It is also located in an area currently inaccessible to the public. Mature vegetation has not only caused damage but also provides a formidable visual screen which makes the SAM inaccessible and difficult to identify.

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<sup>34</sup> ID6

<sup>35</sup> ID5

<sup>36</sup> See Gallagher PoE CD:09.27a

<sup>37</sup> See OR paragraphs 159-185

<sup>38</sup> See Archaeology SoCG para 2.17



44. In these circumstances, it is not unreasonable to suggest that the public currently derives little or no meaningful enjoyment from the SAM. To underline its parlous state, HE considers the SAM is a suitable candidate for inclusion in its Heritage at Risk Register.
45. There is no dispute that the removal of some 20m<sup>39</sup> of the embankment to accommodate the Park Avenue cutting would result in the loss of some historic fabric and interrupt its linear form thus harming its significance. The Council's Conservation Officer, GMAAS<sup>40</sup> and HE all judge the harm to be 'less than substantial' and I see no reason to take a contrary view.
46. However, as set out in the Mitigation Framework<sup>41</sup>, the appeal scheme proposes the following mitigation/enhancement measures:
- Restoration of the remaining length of the embankment which would be made accessible to the public and maintained preventing further damage while allowing the general public to appreciate its significance;
  - Repair and consolidation of the collapsed sections;
  - The provision of information boards to explain the history and significance of the SAM to the public;
  - The limited clearance of trees and undergrowth to open up longer distance views,
  - Archaeological investigation of the SAM and monitoring of the cut through it;
  - The creation of a footpath along the top of the embankment linking to the wider footpath network with a footbridge over Park Avenue;
  - Material removed to create the cutting would be reused as landscape features elsewhere in the development.
47. These measures would unveil the embankment in a way that would enable the general public to understand and enjoy what is an important historical feature. That would be far removed from today's experience where the SAM remains anonymous and under-appreciated. Given the current condition of the SAM and the likelihood of its continuing decline, I consider the development, subject to the above measures, would represent its 'Optimum Viable Use' and ensure its long-term future.
48. Collectively, the benefits to the SAM would outweigh the less than substantial harm. That reflects the position set out in paragraph 2.23 of the Archaeology SoCG<sup>42</sup>. Accordingly, I conclude that subject to appropriate conditions to secure the mitigation, the development would enhance the SAM.

### *Highways*

49. The consented scheme included a package of highway improvements which the Inspector and SoS found would not only address the additional traffic

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<sup>39</sup> At the time the application was considered by the Council at width of the proposed cutting was some 88m

<sup>40</sup> Consultation Responses CDs: 06.39, 06.40 and 06.41.

<sup>41</sup> Appendix 15 to Mr Bell's PoE

<sup>42</sup> CD: 10.2

impact associated with the development but significantly improve congestion at Chequerbent roundabout.

50. The current scheme has sought to build on these benefits with an evolved package of measures to reflect the wider changes to the scheme. As explained in the Transport Assessment<sup>43</sup>, Highways and Transport SoCG<sup>44</sup> and PoE of Steven Eggleston, the number of trips generated by the development would be 10-12% higher than the consented scheme. To mitigate this, the current appeal scheme involves the construction of Park Avenue connecting the A58 Snydale Way to the north with North Road in the south. This would provide both access to the new development whilst also providing traffic relief, helping to ease congestion particularly at the Chequerbent roundabout.
51. Moreover, it would deliver a key component of a wider transport corridor as set out in the Greater Manchester 2040 Transport Strategy Delivery Plan and Bolton Local Implementation Plans<sup>45</sup> for improved east-west connectivity across Wigan and Bolton. In short, it would represent a large proportion of the Council's aspirations for a 'Westhoughton Bypass'. The delivery of Park Avenue must therefore be seen as a significant highway benefit over and above the consented scheme.
52. Off-site works include widening on the A58 Snydale Way and A58 Wigan Road approaches to the M61 junction and signalisation of the southbound entry slip road to the roundabout and associated signalisation of the circulatory carriageway.
53. Subject to all of the above, there is agreement between the main parties as well as National Highways, that the scheme would represent an overall improvement compared to the 'do nothing' scenario. While some objectors raised generic traffic concerns, no evidence has been adduced to challenge the conclusions of the Appellant's traffic assessments.
54. In terms of public footpaths, the Public Right of Way Strategy<sup>46</sup> confirms that the amount of new and improved public and permissive footpaths would increase from 7.2km under the consented scheme to 15.6km. That doubling represents a significant improvement and is yet another factor that weighs in favour of the appeal scheme.

### *Ecology*

55. The previous Inspector and SoS found substantial benefits in relation to the diversification of the ecological features and habitats on the site. These benefits were attributed 'substantial weight'.<sup>47</sup>
56. As reflected in the Ecology SoCG<sup>48</sup> the current appeal scheme would achieve "*even greater biodiversity enhancement than the Consented Scheme; with a consequential difference in estimated biodiversity net gain (c 18%, rather than c15%)*"

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<sup>43</sup> CD: 05.572

<sup>44</sup> CD: 10.4

<sup>45</sup> See CD: 08.26

<sup>46</sup> CD: 05b.115

<sup>47</sup> Paragraph 14.301

<sup>48</sup> CD: 10.3 paragraph 7.15

57. Based on the above and in the absence of any cogent argument to the contrary, I am satisfied there would be biodiversity and ecology betterment compared to the consented scheme. It therefore follows that the ecological enhancements must attract at least the substantial weight afforded by the previous Inspector.

#### *Socio-economic Benefits*

58. The appellant's assessment of the economic impacts of the development are contained in the Economic Impact Analysis<sup>49</sup> which forms part of the ES. At section 2 this explains that the baseline position remains much the same as it was two years ago with Bolton being the 27th most deprived local authority in the country (out of 317 local authorities), with neighbouring Wigan the 97th most deprived. Both authorities face economic challenges in terms of rates of economic activity, employment, and productivity; all of which are lower than the average for Greater Manchester and England.

59. The economic impact of the appeal scheme is set out in the PoE from Andrew Tong. This explains that the approach to forecasting the socio-economic impacts has remained largely the same as the consented scheme which was subject to considerable scrutiny by the previous Inspector and accords with modelling best practice. In short, the figures have simply been updated with the most up-to-date data. It is concluded that the economic benefits of the appeal scheme are even greater than those associated with the consented scheme<sup>50</sup> which the SoS characterised as 'substantial' and applied very significant weight in granting permission.

60. In summary, the updated socio-economic benefits include:

- 1,100 FTE jobs per annum over the period 2021-2040 across the North-West, with 460 of these being in Greater Manchester and 280 being in Bolton and Wigan.
- Generation of employment opportunities for local people through a Local Employment Framework.
- Estimated additional £280m+ GVA<sup>51</sup> generated in the Bolton and Wigan local economy over 20 years through the delivery of the whole Hulton Park scheme.
- Total monetised economic impact in the region of £1.6bn between 2021 and 2040.
- £208m (gross) of social value.<sup>52</sup>
- Non-monetised social and cultural benefits including new homes, new greenspace, the creation of new public rights of way and trails, a health and wellbeing centre, new school, village hall, and a food and drink establishment.

61. These benefits are recognised at paragraph 225 of the OR which finds that the scheme would generate substantial economic, social and cultural benefits that

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<sup>49</sup> CD: 05a.265

<sup>50</sup> The consented scheme was forecast to have a total economic impact of £730m within the north-west region. The figure for the current appeal scheme is £1.04bn

<sup>51</sup> Gross Value Added

<sup>52</sup> See Social Value Assessment CD: 05a.266

would directly contribute towards growing the regional economy, addressing deprivation, and contributing towards an improved quality of life for residents of Bolton.

62. The parties agree that the Council cannot demonstrate a five-year supply of housing land.<sup>53</sup> The development would therefore make an important contribution towards meeting housing needs both in terms of quantity and quality which should be afforded significant weight. In response to concerns that the development would not address housing needs in the short-term, the Planning Statement<sup>54</sup> clarifies that the scheme is expected to deliver 196 dwellings within the current five-year period.<sup>55</sup>
63. The appeal scheme also represents an improvement in relation to affordable housing. Under the consented scheme 10% of the houses would have been affordable in the form of discounted home ownership. The developer was also required to undertake a review of viability at various points to provide an uplift in the amount of affordable housing provision should conditions allow. In the current scheme, the planning obligations contained in the s106 would secure a minimum of 10% affordable housing but with a mix of social rented and intermediate properties (split 65% and 35% respectively) which is the Council's preferred mix. The review mechanisms and trigger points would also be retained. Based on the foregoing, I find the affordable housing commitments are a significant benefit weighing in favour of the appeal scheme.
64. CPRE and Philip Wood argued that the case for the scheme is weakened because the proposals now involve residential development on several of the main "staging" areas for the RC effectively rendering the course unviable to hold future major tournaments. However, that argument was considered and rejected in the OR<sup>56</sup>. It was also repudiated by the Appellant at the Inquiry whose witness explained that the size and scale of the RC necessitates a much larger staging area than would normally be the case for other championship events. Given the size of the golf resort, I can see no obvious impediment to the provision of adequate staging areas to accommodate future championship events or for that matter a second RC, subject to securing the necessary planning approvals. It should however be pointed out that the economic case for the development is not predicated on the hosting of a second RC.
65. Philip Wood provided an alternative economic assessment to the Inquiry<sup>57</sup> which excluded the economic impact of the proposed housing. Unsurprisingly, this resulted in a lower level of economic impact (£650m as opposed to £1.04bn). Mr Wood conceded under questioning that his methodology did not follow established guidance and he himself did not hold any formal qualifications in relation econometric forecasting. Perhaps more fundamentally, Mr Wood confirmed that he had not carried out an assessment in relation to the consented scheme but accepted that the current appeal scheme would be "*somewhat better*" in economic terms. That being the case, I do not need to comment further on Mr Wood's submissions.

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<sup>53</sup> See paragraph 8.7

<sup>54</sup> CD: 05a.262

<sup>55</sup> See CD 05a.262 paragraph 7.31

<sup>56</sup> Paragraph 383

<sup>57</sup> ID4

66. I therefore conclude that the social, cultural and economic benefits of the development are stronger than the consented scheme and should be afforded very substantial weight in favour of the development in the planning balance.

### **Other Matters**

67. The majority of those who spoke against the development, including HEART and the CPRE, manifestly failed to appreciate the significance and importance of the consented scheme as a fallback position. That led to many speakers re-running 'in principle' Green Belt/heritage/ecology objections that were dealt with as part of the consented scheme. For reasons I have already set out, I do not intend to repeat the findings of the previous Inspector and SoS in respect of these matters.

68. Many of the objectors raised concerns about development taking place before hosting rights for the RC are secured. Similar concerns were raised at the original Inquiry and are dealt with by the Inspector at paragraphs 14.10-14.16 of her decision<sup>58</sup>. Essentially the situation remains the same in that a planning obligation contained in the s106 agreement would prevent the development commencing until the European Tour (the RC organising body) has confirmed in writing that Hulton Park has been selected as the venue to host the tournament.

69. The Appellant confirmed that the loss of best and most versatile agricultural land is unchanged from the consented scheme.<sup>59</sup>

70. While I understand the concerns of local residents and Councillors about the issue of air quality and its potential hazardous effect on health, no party has adduced evidence to challenge the conclusions of the Appellant's Air Quality Assessment.<sup>60</sup> This found that congestion, the biggest component of air quality concerns, would be reduced as a result of this proposal, rather than increased. Accordingly, there would not be a significant impact on air quality. That conclusion is now accepted by the Council.<sup>61</sup> I am therefore satisfied that the scheme accords with CS Policies CG4.1 and CG4.2 and paragraphs 174(e) and 186 of the Framework.

71. The appeal scheme covers a larger spatial area than the consented scheme which includes additional water features. An assessment of the impact on these bodies was undertaken as part of Owen Tucker's PoE, a Water Framework Directive Compliance Assessment<sup>62</sup> and a Flood Risk Assessment.<sup>63</sup> The conclusion reached in each of these is that the nature and scale of the impacts is broadly in line with the consented scheme.

72. Oral evidence given by the Chair of the Planning Committee revealed that the genesis for the second reason for refusal was two-fold; firstly, advice given in relation to the University of Bolton stadium<sup>64</sup> some 25 years ago and, second, a recent newspaper article about the dangers of leaching into watercourses. Neither documents were before the Planning Committee when it made its decision, nor were they submitted to the Inquiry.

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<sup>58</sup> CD: 09.01a

<sup>59</sup> ID7

<sup>60</sup> CD: 05b.120

<sup>61</sup> See Air Quality SoCG CD: 10.6

<sup>62</sup> CD: 05b.114

<sup>63</sup> CD: 05a.602

<sup>64</sup> Originally known as the Reebok Stadium

73. As noted in the OR, the appeal scheme seeks to minimise its environmental effects. There is a commitment to BREEAM<sup>65</sup> Excellent on all non-domestic buildings as well as delivering a net zero carbon development.<sup>66</sup> The measures would be secured by a number of planning conditions requiring a sustainability strategy containing some, if not all, of the following:

- Delivering the buildings on site to a high standard of fabric efficiency which minimises heat and energy loss.
- Extensive deployment of renewable energy in all buildings in the form of technologies such as Solar PV, Air and Ground Source Heat Pumps and solar thermal cells.
- The use of battery technology where feasible across the development to store energy generated from renewable sources for use during peak demands.
- The feasibility of a district heat network for the development will also be considered during detailed design and once the exact thermal load of buildings is known
- The deployment of measures to minimise energy use during the operational phase of buildings.

74. The sustainability credentials of the current appeal scheme are another material planning benefit above and beyond that which would have been delivered by the consented scheme.

### **Planning Obligations**

75. An agreed draft of the s106/s106a agreement was discussed at the Inquiry. This contains planning obligations in relation to:

- Restoration works to the RPG and a commitment to implement the current appeal scheme over the consented scheme (Schedule 4);
- A Landscape and Habitats Management Plan (Schedule 5);
- Highway works specifically the delivery of Park Avenue and off-site contributions to cycle parking and pedestrian crossings (Schedule 6);
- Contributions to create additional capacity at local primary and secondary schools (Schedule 7);
- 10% affordable housing comprising 65% Social Rent Units and 35% Intermediate Units (Schedule 8);
- A Local Employment Framework (Schedule 9);
- The provision of open space land for community use within the development (Schedule 10);
- The delivery and management/disposal of the village hall (Schedule 11);
- The delivery and management/ operation/ disposal of the allotments in accordance with the approved Allotments Scheme (Schedule 12);

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<sup>65</sup> Condition 53

<sup>66</sup> Condition 54

- The provision of permissive pedestrian routes throughout the golf course (Schedule 13);
- A financial contribution towards the provision and/or improvement/ expansion of off-site sports and recreational facilities (Schedule 14);
- A financial contribution towards the upgrade of footpaths in the local area to improve access to/from the appeal site (Schedule 15);
- The delivery of off-site woodland planting on land at Hermon Bank Farm (Schedule 16);
- The delivery of improvement works to the part of the Hulton Trail that is located within the appeal site (Schedule 17);
- The delivery of a Health Centre (Schedule 18), and
- A restriction on implementation until the RC has been awarded to Hulton Park.

76. While the majority of the obligations were considered by the previous Inspector, I am satisfied that the obligations meet the statutory tests contained in regulation 122 of the CIL Regulations 2010 and the Framework.

### **Conditions**

77. The parties have agreed a list of planning conditions<sup>67</sup> many of which were imposed on the consented scheme. The reasons for these are set out in section 12 of the previous Inspector's report and I do not intend to repeat them again here. Instead, I shall deal with the new conditions that arise as a result of the changes to the scheme. These were discussed at the Inquiry. In some instances, I have amended the conditions in the interests of brevity or to ensure compliance with the PPG.
78. Rather than imposing a separate condition in relation to a permissive path Code of Conduct, I have added a further requirement to condition 6 to capture these details. Conditions 17-19 and 42 are necessary to secure the off-site highway improvements at the approaches to junction 5 of the M61 and to protect vehicles from errant golf balls. Condition 25 is necessary to secure the SAM mitigation works.
79. Condition 28 is necessary to ensure the development does not give rise to unacceptable effects on air quality. The reasons given for a Community Charter condition were unconvincing and would be captured by other conditions and/or the s106 agreement. I have omitted condition 30 accordingly. A condition relating the landform art features is necessary to ensure the satisfactory appearance of the development.
80. In light of the restrictions contained in condition 43, a separate condition relating to grass cutting is unnecessary. On the evidence before me, I am not persuaded that a condition restricting amplified music is necessary, proportionate or enforceable. No such condition was imposed on the consented scheme. I have thus omitted conditions 47 and 50.

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<sup>67</sup> ID10

81. There is no need for a separate condition relating to motorway drainage since these requirements would be captured by the overarching drainage condition (condition 56). I have incorporated the requirements of condition 66 (asbestos removal) into the site wide CEMP. I have amalgamated the two separate coal mining conditions to avoid duplication.
82. Several 'pre-commencement' conditions require certain actions before the commencement of development. In all cases the conditions were agreed between the main parties and address matters that are of an importance or effect that need to be resolved before construction begins.

### **Overall Planning Balance**

83. Although the principle of development on the appeal site has already been established by virtue of the consented scheme, I have calibrated my planning balance differently to the previous Inspector to reflect the very significant improvements that have been made to the scheme.
84. The appeal site is in the Green Belt and the proposal constitutes inappropriate development. It would also result in substantial harm to openness and the purposes of including land in the Green Belt. Collectively, these harms must attract substantial weight in the overall planning balance, in accordance with Framework paragraph 148.
85. In terms of other (non-Green Belt) harms, there would be conflict with CS Policies OA3, OA4 and AP Policy CG6AP in respect of development outside settlement boundaries and on Other Protected Open Land. However, since these policies are out-of-date, these conflicts only attract limited weight.
86. As with the consented scheme, there would also be some limited harm to landscape character caused by the loss of land to housing to which I attribute moderate weight. The proposal would also conflict with CS policy CG1 in terms of the loss of local farms and agricultural value. I attribute limited weight to these matters. I have not identified any other harms as a direct result of the changes to the consented scheme set out at paragraph 23 of this decision.
87. Planning permission should only be granted if very special circumstances have been demonstrated. Very special circumstances can only exist if the Green Belt and other harms identified are clearly outweighed by other considerations.
88. On the positive side of the balance, I have found that the scheme would deliver all of the benefits identified in the consented scheme albeit that they would be of a higher order in a number of key areas.
89. Firstly, unlike the consented scheme, I have found there would be an enhancement to the heritage assets (RPG and SAM). I attribute significant weight to the heritage benefits.
90. The monetised benefits of bringing the RC to Hulton Park would be substantial. Added to this, the delivery of new homes and jobs in an area of need, affordable housing, community facilities and a significantly improved package of walking routes across the site are weighty social and community benefits. Collectively the socio-economic benefits attract very substantial weight.



91. There would also be enhanced benefits in relation to the diversification of the ecological features and habitats on the site compared to the consented scheme. Given the ecological value of the site is in decline, I attribute substantial weight to the ecology benefits.
92. The highway works, in particular the delivery of a substantial part of the Westhoughton Bypass as well as an overall net-benefit to the operation of the Chequerbent roundabout are public benefits to which I attach very significant weight. Given that the Council has declared a climate emergency and committed to playing its part in tackling climate change, I attach significant weight to the sustainability benefits.
93. The significant reduction in the amount of Green Belt harm compared to the consented scheme is another consideration weighing in favour of the current appeal scheme. I attach very significant weight to this benefit.
94. I consider that the benefits listed above are of such magnitude that they clearly outweigh the identified Green Belt and non-Green Belt harms. On a further matter of judgement, I conclude that very special circumstances exist, which justify permitting the proposed development in the Green Belt.
95. Accordingly, the proposal would not conflict with Green Belt policy in Section 13 of the Framework. The consequence of the above is that the development complies with the development plan taken as a whole and should be approved without delay. Given that the very special circumstances balance is the highest test in the Framework, I do not consider it necessary to carry out a separate paragraph 11(d)(ii) balancing exercise.

### **Conclusions**

96. For the reasons set out above I conclude that the appeal should succeed, and planning permission allowed subject to the conditions set out below.

*D. M. Young*

Inspector

## **APPEARANCES**

### The Appellant

Russell Harris KC he called:

Stephen Bell BA (Hons) MTPI MRTPI

Turley Associates Limited

### The Council

Matthew Dale-Harris of Counsel

Alex Allen MTPI MRTPI

Emma Lancaster BA (Hons) MA MRTPI

Development Manager, Bolton Council  
Quod

### Interested Persons

#### *Supporters*

Mike Blackburn

Bill Webster

Phil Mason

Jon Lord

Elizabeth Connah\*

Craig Kerrigan\*

Sophie Walker

Chair Marketing Manchester  
Principal of Bolton College  
Chief Executive of BWFC in the  
Community  
Bolton at Home  
Local resident  
2018 Celtic Manor Captain  
Former professional golfer,  
broadcaster and coach

#### *Objectors*

Cllr John Walsh

Cllr Derek Bullock

Cllr Andrea Finney

Cllr Toby Hewitt

Phil Wood

Sandra Hesketh

Alan Dean

Tony Bishop

Corrie Shelley

Gordon Corbett

Elaine Taylor

Jackie Copley

Sylvia Fewtrell

Member for Astley Bridge and  
Planning Committee Chair  
Member for Hulton  
Member for Westhoughton North &  
Chew Moor  
Member for Hulton  
Local resident  
HEART  
HEART  
Leigh Ornithological Society  
Local resident  
Member of Bolton Golf Club  
Local historian  
CPRE  
Local resident

\* Statement read by representative

## **SCHEDULE OF CONDITIONS**

### **General Conditions**

- 1) The development hereby approved shall not be begun until a phasing scheme has been submitted to, and approved in writing by, the local planning authority. The phasing scheme shall identify the proposed phasing and sequencing of the development hereby approved, including the following:
  - the Hulton Hall development (comprising the golf course, clubhouse, academy, maintenance compound, hotel complex, bridges, lodges and restaurant [dining with distinction] with rooms and cabins);
  - the Hulton Park Villages development (comprising the residential development, local centre, local retail stores, the primary school and the village hall);
  - the Hulton Parklands development (comprising the Health & Wellbeing Hub, Chequerbent Barns, landform art, community allotments, Pretoria Park, public rights of way, permissive footpaths and the Hulton Trail);
  - highways infrastructure works, including Park Avenue and access into and within the site;
  - the demolition works across the site; and
  - the heritage restoration works across the site.

The reserved matters details submitted in respect of each phase of the outline permission (as defined by Condition 1) shall be accompanied by an updated phasing scheme to reflect the ongoing delivery of the development hereby approved. The development shall thereafter be carried out in accordance with the approved phasing scheme.

- 2) The development hereby approved shall be carried out in accordance with the following approved plans and documents:
  - Site Location Plan (drawing ref. LUC-11305-LD-PLN-1002 Rev C);
  - Areas for Detailed and Outline Approval (drawing ref. LUC-11305-LD-PLN-001 Rev C);
  - Conservation Plan Volume 2: Conservation Strategy (Version 4, September 2022);
  - Design and Access Statement (document ref. 11305-LD-REP-700 Version 4, November 2021);
  - Public Right of Way Strategy (document ref. 11305-LD-REP-800 Version 5);
  - Crime Impact Statement (document ref. 2016/1030/CIS/02 VERSION A, 26 November 2021);
  - Arboricultural Impact Assessment (document ref. 5136.06.001 Version 2.0, November 2021);
  - Lighting Impact Assessment (document ref. 2913 P5, 16 September 2021);
  - Water Framework Directive (WFD) Compliance Assessment (document ref. 44501, November 2021);

- Historic Structures: Condition/Repair/Issues (Version 4, June 2021)

- 3) That part of the development hereby approved in full, the extent of which is defined on "Areas for Detailed and Outline Approval" (drawing ref. LUC-11305-LD-PLN-001 Rev C) (hereafter referred to as the "full permission"), shall be begun before the expiration of three years from the date of this planning permission.
- 4) No phase of the development hereby approved in outline, the extent of which is defined on "Areas for Detailed and Outline Approval" (drawing ref. LUC-11305-LD-PLN-001 Rev C) (hereafter referred to as the "outline permission") (excluding those areas defined within the "Interim Temporary Grading Operations Areas" (drawing ref. 11305-LD-PLN-002 Rev C)), shall be begun until details of all of the reserved matters for that phase (appearance, landscaping, layout, scale and access (in part)) have been submitted to, and approved in writing by, the local planning authority.

Applications for the approval of all reserved matters in respect of the first phase of the outline permission (as defined by the details submitted and approved pursuant to Condition 1) shall be submitted no later than three years from the date of this permission. Applications for the approval of reserved matters for all other phases of the outline permission shall be submitted no later than eighteen years from the date of this permission.

The first phase of the outline permission shall be begun before the expiration of either five years from the date of this planning permission or two years of the date of the final reserved matters approval in respect of that phase, whichever is the later. Each subsequent phase of the outline permission shall be begun before expiration of two years from the date of approval of the last of the reserved matters to be approved in respect of that phase. Each phase of the outline permission shall thereafter be implemented in accordance with the approved reserved matters in respect of that phase.

- 5) No more than 1,036 dwellings shall be constructed as part of the Residential Development.

**Conditions relating to Public Rights of Way and Permissive Paths**

- 6) No phase of development hereby approved (as defined by Condition 1) shall be begun until the full detailed design of proposed works to the public rights of way (excluding the Hulton Trail) and permissive paths (as defined by the approved Public Right of Way Strategy (document ref. 11305-LD-REP-800 Version 5)) within that phase have been submitted and approved by the local planning authority. This shall include:
  - (i) surfacing materials;
  - (ii) the location of, specification for and design of any fencing, gates, bollards or means of enclosure;
  - (iii) the location of, specification for and design of any gym equipment;
  - (iv) the location of, specification for and design of any bins or waste storage;
  - (v) the location of, specification for and design of any public art, sculptures or interpretative material; and

(vi) the location of, specification for and design of any appropriate measures to be installed to restrict access by motor vehicles.

(vii) A code of conduct for the permissive paths

The works to public rights of way and permissive paths within each phase shall thereafter be implemented in full, in accordance with the approved details for that phase, prior to their first use by members of the public.

- 7) No part of the 'Hulton Trail' (as defined by the phasing scheme approved pursuant to Condition 1) shall commence until the following details to be provided along the route of that part, have been submitted to, and approved in writing by, the local planning authority. The submitted details shall be in accordance with the illustrative details shown on drawing numbers 507C-08H, 507C-09H, 507C-10G, 507C-11G, 507C-12G, 507C-13G and set out in the approved "Hulton Trail Context and Delivery Report" (document ref. RT:707C.D01 Rev A) and shall comprise:

(i) surfacing materials;

(ii) the location of, specification for and design of any fencing, gates, bollards or means of enclosure;

(iii) the location of, specification for and design of any gym equipment;

(iv) the location of, specification for and design of any bins or waste storage;

(v) the location of, specification for and design of any public art, sculptures or interpretative material; and

(vi) the location of, specification for and design of any appropriate measures to be installed to restrict access by motor vehicles.

No part of the Hulton Trail shall be first used by the public until the approved details for that part have been completed and are available for use. No more than 499 dwellings hereby permitted shall be occupied until the 'Hulton Trail' has been completed in full and opened to the public.

- 8) No part of Hulton Park Villages referred to in the Design and Access Statement (document ref. 11305-LD-REP-700 Version 4) as "Park End Farm" shall be begun until a specification and programme of implementation for the part of the Hulton Trail which is hereby approved in outline, as identified on approved drawing "507C-12G", has been submitted to, and approved in writing by, the local planning authority. The Hulton Trail running though Park End Farm shall thereafter be implemented in full, in accordance with the approved specification and programme.

### **Conditions relating to All Development**

- 9) No demolition, ground works, construction works, or restoration works shall take place outside the following hours: 08:00 to 18:00 hours on Mondays to Fridays and 09:00 to 13:00 hours on Saturdays. There shall be no such work on Sundays or Public or Bank Holidays.
- 10) No phase of the development hereby approved (as defined by Condition 1) shall be begun until a Construction and Environmental Management Plan (CEMP) in relation to that phase has been submitted to, and approved in writing by, the Local Planning Authority. Each CEMP shall be

in accordance with the "Outline Construction Environmental and Management Plan" (dated September 2021) and include details of the following:

- Hours of construction and deliveries;
- Details of the precautions to be implemented to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway;
- Dust suppression measures;
- Noise emission suppression measures
- Construction routes in and around the site including swept path analysis;
- Compound locations together with details of the storage facilities for any plant and materials including off-site consolidation if appropriate, the siting of any site huts and other temporary structures, including site hoardings and details of the proposed security arrangements for the site;
- Parking of vehicles associated with construction, deliveries, site personnel, operatives and visitors;
- Sheeting over of construction vehicles;
- Display on the site of an emergency contact number;
- Location, removal and recycling of waste;
- Monitoring of dust levels around the site boundary;
- Water management plan, including details of pre-construction and during construction water quality monitoring, an emergency response plan for any unexpected pollution arising during construction, management of spillage risk Management of construction site runoff and excess sediment, management of flood risk during construction, working in, over, under and adjacent to water features, and restoration of the ornamental lakes.
- An asbestos mitigation plan should asbestos been found to be present in any building (including a programme for its implementation).

Development of that phase shall thereafter only be carried out in accordance with the approved CEMP for that phase.

- 11) No phase of the development hereby approved (as defined by Condition 1), shall be begun including any tree felling or excavation works, until details of the methods to be employed to minimise noise disturbance during construction of that phase have been submitted to, and approved in writing by, the local planning authority. Those details shall include the measures detailed in Section 3 of the "Outline Construction Environmental and Management Plan" (dated September 2021). The approved details shall thereafter be implemented in full prior to the commencement of any demolition or construction works and shall be retained throughout the demolition and construction periods.
- 12) No phase of the development hereby approved (as defined by Condition 1), shall be begun until a scheme for the management of dust or

windblown material associated with the construction of that phase has been submitted to, and approved in writing by, the local planning authority. The scheme shall:

- be prepared in broad accordance with the details provided in the "Outline Construction Environmental and Management Plan" (dated September 2021);
- include proposals for dust deposition, dust flux and/or real time PM10 continuous monitoring locations;
- specify that baseline monitoring of dust emissions shall begin at least three months before the construction of that phase is begun; and
- require that that phase shall not be begun until all monitoring data has been provided to the local planning authority.

The approved details shall be implemented in full prior to commencement of any demolition or construction works on that phase of the development and shall be retained throughout the demolition and construction periods.

- 13) No phase of the development hereby approved (as defined by Condition 1) shall be begun until a detailed Water Framework Directive (WFD) mitigation and enhancement strategy has been submitted to, and approved in writing by, the local planning authority. The strategy shall include:
- details and designs of all proposed de-culverting and channel diversions
  - details of opportunities to re-naturalise and restore artificially modified waterbodies such as weirs and canalised channel sections
  - opportunities to incorporate low maintenance riparian semi-natural buffers along watercourses and wetlands
  - adoption of multifunctional SUDs solutions for all new surface water discharges to Carr Brook and Hall Lee Brook waterbodies
  - use of open span design for all new river crossings (unless otherwise agreed by the Local Planning Authority)
  - sensitive surface water outfall designs
  - adoption of water quality and flow monitoring on main waterbodies flowing through site
  - adoption of appropriate semi-natural buffers near any new or restored features
  - details demonstrating how the buffer zone will be protected during development
  - details of any proposed footpaths, fencing and lighting near key ecological networks.
- Thereafter, the development shall be carried out in accordance with the approved scheme.
- 14) No phase of the development hereby approved (as defined by Condition 1), shall commence until the following information in respect of that phase has been submitted to, and approved in writing by, the local planning authority:

- (i) a 'Preliminary Risk Assessment' (PRA) to determine the potential for that phase to be contaminated;
- (ii) prior to any physical site investigation, a methodology for undertaking an assessment to determine the nature and extent of any contamination affecting that phase and the potential for off-site migration;
- (iii) provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the approved PRA; and
- (iv) where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment.

Following the approval of the above information by the local planning authority, each phase of the development shall be carried out in accordance with the approved scheme of remediation (where necessary) for that phase. The local planning authority shall be notified regarding the presence of any additional or unforeseen contamination encountered during the development of any phase as soon as practicably possible and a scheme of remediation to deal with such unforeseen contamination shall be submitted to, and approved in writing by the local planning authority, and thereafter implemented in full in accordance with the approved details.

Upon completion of the approved remediation schemes for each phase, and prior to the occupation of that phase, a completion report demonstrating that the scheme of remediation for that phase has been appropriately implemented and the site for that phase is suitable for its intended end use shall be submitted to the local planning authority.

- 15) No phase of the development hereby approved (as defined by Condition 1) shall be occupied or operated until the following off-site highway works to the local road network have been completed and are open to traffic:
  - Improvement works at A6/A579 Four Lane Ends junction, as shown on drawing ref. "ITM10187-SK-194 Revision D"
  - Improvement works at A58 Park Road / B5235 Leigh Road junction, as shown on drawing ref. "ITM10187-SK-193".
- 16) No phase of the development hereby approved (as defined by Condition 1) shall commence until details of the design, construction, specification, lighting and drainage of all internal access roads within that phase have been submitted to and approved in writing by the Local Planning Authority. No part of the development within each phase shall be occupied until the internal access roads to serve that phase have been constructed to at least base course level in accordance with the approved details. The internal access roads for each phase shall thereafter be completed in accordance with the approved details prior to first occupation or operation of that phase.
- 17) No phase of the development hereby approved (as defined by Condition 1) shall commence unless and until the full design and construction details of the required highway improvements to the northbound carriageway of A58 Snydale Way and southbound carriageway of A58 / Wigan Road on the approaches to M61 Junction 5 (as shown in "ITM10187-SK-337 Rev A Option B1", "ITM10187 - SK - 336 Rev A", and



“ITM10187-SK-302 Rev A”) have been submitted to and approved in writing by the Local Planning Authority.

The details to be submitted shall include:

- How the scheme interfaces with the existing highway alignment.
- Full signing and carriageway marking details.
- Full construction details.
- Confirmation of compliance with current standards (as set out in the Design Manual for Roads and Bridges) (or approved relaxations / departures from standards).
- A walking, cycling and horse-riding assessment and review (WCHAR).
- An independent Stage 2 Road Safety Audit.

The approved details shall be constructed in full and open to traffic prior to the first occupation or operation of any part of the development hereby approved.

- 18) No phase of the development hereby approved (as defined by Condition 1) shall commence unless and until a scheme, which incorporates the signalisation of the M61 Junction 5 south bound off slip / corresponding circulatory and formalisation of an arrangement which permits two lanes to make the movement from the A58 Snydale Way Northbound to the A58 Northbound exit, consistent with drawing ref “ITM10187-SK-338 Rev A”, has been submitted to and approved in writing by the Local Planning Authority.

The details to be submitted shall include:

- How the scheme interfaces with the existing highway alignment and the provision of enhanced Non-Motorised User (NMU) facilities at both the South Bound off slip and the North Bound on slip.
- Full signing and carriageway marking details.
- Full construction details.
- Confirmation of compliance with current standards (as set out in the Design Manual for Roads and Bridges) (or approved relaxations / departures from standards).
- A walking, cycling and horse-riding assessment and review (WCHAR)
- An independent Stage 1 and Stage 2 Road Safety Audit.

The approved details shall be constructed in full and open to traffic prior to the first occupation or operation of any part of the development hereby approved.

- 19) Notwithstanding the approved plans, prior to the commencement of any phase of development (as defined by Condition 1) to the north of the A6 Manchester Road, details of a barrier to prevent direct vehicular or pedestrian access between that phase and the M61 motorway shall first be submitted to and approved in writing by the local planning authority.

The barrier shall comprise a close boarded fence or similar which is not less than 2 metres in height and shall be erected behind (and separate from) any existing motorway boundary fence. The approved barrier shall

be erected prior to first occupation/use of each phase of development to the north of the A6 Manchester Road and thereafter retained.

- 20) No phase of the development hereby approved (as defined by Condition 1) shall commence until a detailed planting specification in respect of the soft landscaping works to be provided within that phase has been submitted to, and approved in writing by, the local planning authority. Each scheme shall be prepared pursuant to, and in broad accordance with, the detail identified by the "Indicative Planting Schedule & Specification" (drawing ref. 11305-LD-SCH-705 Issue B) and the associated drawings; and shall also include details of the programme for implementing and completing the planting. No phase of the development shall be occupied unless the soft landscaping works have been completed in accordance with the approved specification for that phase.
- 21) All soft landscape works for each phase of the development hereby approved (as defined by Condition 1) shall be carried out in accordance with the details approved pursuant to Condition 20 for that phase and shall comply with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice.

Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, or with alternative species, size and number as approved in writing by the local planning authority.

- 22) No phase of the development hereby approved (as defined by Condition 1) shall commence until a detailed Arboricultural Method Statement (AMS), in accordance with 'BS 5837:2012 Trees in relation to design, demolition and construction - recommendations', in relation to that phase has been submitted to and approved in writing by the local planning authority. Each AMS should accord with the measures set out within the approved "Arboricultural Impact Assessment (AIA)" (document ref. 5136.06.001A Version 2.0, November 2021) and include:
- A full schedule of all retained trees, and those to be planted in accordance with Condition 21
  - A specification and minimum standards for all tree works operations
  - Specifications for all temporary tree protection barriers and ground protection types
  - An induction process for arboricultural contractors
  - A schedule of all approved tree removal and pruning, including details of how arisings will be processed and used
  - A schedule of all approved tree removal and pruning, including details of how arisings will be processed and used
  - A system for recording variations to tree works (including micro-siting) in accordance with the approved documents
  - Temporary measures to ensure the protection of retained and planted trees in accordance with BS5837 during construction and major tournaments

- Details for all special construction methodologies that are proposed to enable the delivery of the approved tree retention schedule
- Standard details for tree protection measures in accordance with BS5837, to be used as required during the implementation of the approved "Woodland, Trees and Hedgerow Management Strategy" (document ref. 5136.058 Version 2) at Appendix A of the Interim Landscape and Habitat Management Plan, document ref. 5136.057 Version 4).
- A system, which is available for inspection by the Local Authority, that establishes minimum contractor standards, responsibilities, briefings, training and works specifications; the frequency and means of monitoring and recording progress and compliance with approved tree works, tree protection, tree planting and special construction measures; and a procedure for recording non-compliance and subsequent remedial actions, in accordance with AIA paragraph 7.99 (i) to (vii)

No phase of the development shall be occupied until all works set out in the approved AMS in respect of that phase have been completed. The approved works shall thereafter be maintained.

- 23) The development hereby approved shall not be begun until, a scheme for investigation of the landscape history of the Registered Park and Garden, written analysis and interpretation of that history, and timescales for their publication, has been submitted to, and approved in writing by, the local planning authority. Development shall thereafter be implemented in accordance with the approved details.
- 24) No phase of the development hereby approved (as defined by Condition 1) shall commence until a Written Scheme of Investigation (WSI) for undertaking archaeological assessment and recording work within that phase has been submitted to, and approved in writing by, the local planning authority.

The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
  - historic building and structures investigations (Historic England Level 1-3);
  - archaeological evaluation through trial trenching;
  - pending the results of the above, targeted excavation and / or an archaeological watching brief (subject to an updated WSI);
  - a community-led excavation of the 17th-century hall.
2. A programme for post-investigation assessment to include:
  - analysis of the site investigation records and finds;
  - production of a final report on the results of the investigations and their significance.
3. Deposition of the final reports with the Greater Manchester Historic Environment Record.

4. Dissemination of the results of the archaeological investigations commensurate with their significance, including a scheme to display and interpret heritage features and publication in an appropriate format.

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.

Each phase of the development hereby approved shall be implemented in accordance with the approved WSI for that phase.

- 25) Prior to the construction of the Highway Infrastructure between the A6 and A58 and notwithstanding the details approved on drawing ref. "ITM10187-GA-324", a scheme in respect of the proposed highway and associated works across the 'Chequerbent Incline' embankment shall be submitted to and approved in writing by the local planning authority.

Notwithstanding the details on drawing ref. "ITM10187-GA-324" the completed works to the embankment shall be reduced to the minimum extent practicable and, in any event, no more than 21 metres in breadth at their widest point, unless otherwise agreed in writing by the local planning authority.

The scheme shall include:

- (a) a programme for its implementation; and
- (b) details of the proposed repair, preservation, enhancement and maximisation of public appreciation of the embankment based on the strategy and principles set out in the "Chequerbent Embankment Mitigation Framework (dated July 2022)", which shall include:
  - (i) Removal of self-seeded vegetation.
  - (ii) Repairs to the masonry and structure of the embankment.
  - (iii) Proposals for future landscape management.
  - (iv) Proposals for public access and appreciation to enhance the public understanding, cultural value and benefits of the history of the embankment; and
  - (v) Proposals to enhance an understanding of the structure.

The approved scheme shall be implemented and thereafter retained and open for public use. The Highway Infrastructure between the A6 and A58 will be constructed in complete accordance with the approved scheme and thereafter retained.

- 26) The free-field noise rating level (L<sub>A,r</sub>,Tr) as defined in BS4142:2014+A1:2019, of any new external fixed plant and equipment when operating simultaneously or individually, shall not exceed the measured daytime and/or night-time background sound level at 1m from the façade of the nearest and most exposed noise-sensitive receptors, including those locations specified in Table A12.6.1 of "Environmental Statement Update November 2021, Volume 3, Appendix 12.6: Operational Noise Assessment – Scenario 1, Full Development".

Prior to any new external fixed plant and equipment within each phase of the development (as defined by Condition 1) being brought into use,

including any United Utilities Pumping Stations, a noise assessment of that plant and equipment shall be submitted to and approved in writing by the local planning authority. The report shall include all the information specified in Clause 12 of BS4142:2014+A1:2019 and details of any mitigation proposed to achieve the rating level.

Each phase of the development hereby approved shall be implemented in accordance with the approved details and retained thereafter.

- 27) Prior to the installation of any external lighting within each phase of the development hereby approved (as defined by Condition 1) a scheme for that external lighting shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be prepared in broad accordance with the details and parameters provided in the "Lighting Impact Assessment" (document ref. 2913 P5, 16 September 2021) and illustrated on the "External Lighting Proposals" (drawing ref. "3329-KIN-XX-XX-E-DR-6300 PL2").

If applicable to that phase, the submitted scheme shall include details regarding the protection of key features of importance for barn owls and bats as identified in the "Bat Management Strategy" (document ref. 5136.065 V4) and "Barn Owl Management Strategy" (document ref. 5136.064 V2) at Appendix H and G of the "Interim Landscape and Habitat Management Plan" respectively. The scheme should also be in accordance with the Bat Conservation Trust and Institution of Lighting Professionals 'Guidance Note 08/18 - Bats and artificial lighting in the UK'.

With the exception of temporary external lighting installed for the purposes of staging a golf tournament pursuant to Condition 56, the external lighting shall:

- i. be designed to an illumination value of 5 lux at the nearest residential property; and
- ii. achieve a beam angle below 70 degrees and be fitted with spill shields where it is directed towards any potential observer.

With the exception of temporary external lighting installed for the purposes of staging a golf tournament pursuant to Condition 57:

- (a) no external lighting shall be provided otherwise than in accordance with the approved scheme; and
- (b) all external lighting shall thereafter be maintained in accordance with the approved scheme.

- 28) Prior to the commencement of each phase of the development, an air quality appraisal for that phase shall be submitted to, and approved in writing, by the Local Planning Authority. The appraisal shall include:
- (a) a damage cost calculation carried out in accordance with the 'Air Quality Appraisal: Damage Cost Guidance, Updated March 2021, Defra; and
  - (b) a report that identifies any proposed mitigation measures that are necessary having regard to the calculation that was carried out; and
  - (c) a programme for the implementation of the mitigation measures (if any) that were identified in the report.

Thereafter, the mitigation measures (if any) shall be implemented and retained in accordance with the approved air quality appraisal in respect of that phase.

- 29) No phase of the development hereby approved shall be begun until the following information in respect of that phase has been submitted to, and approved in writing by, the local planning authority:
- i. a scheme of intrusive site investigations of the relevant land (if any) within that phase for mine entries and shallow coal workings, including gas monitoring;
  - ii. a report of findings of the intrusive site investigations undertaken pursuant to (i) above;
  - iii. a scheme of treatment and/or mitigation measures/remedial works for mine entries and/or shallow coal workings, including a programme for the implementation and maintenance of those works.

The respective phase of development shall be carried out in accordance with the approved details and thereafter retained.

### **The Full Planning Permission**

- 30) The full permission shall be carried out in accordance with the following approved plans:
- Illustrative Landscape Masterplan: Site Wide (Outline Development) Option B (drawing ref. 11305-LD-PLN-104 Issue A) (Only in so far as it relates to those areas of the site hereby approved in full).;
  - Demolition Plan (drawing ref. 11305-LD-PLN-010 Rev D);
  - Restoration Plan (drawing ref. 11305-LD-PLN-011 Rev D);
  - The Dovecote (Grade II Listed): Elevations and Masonry Repairs (drawing ref. dov/Ibc/001);
  - The Dovecote (Grade II Listed): Plans & Sections (drawing ref. dov/lbc/002);
  - Golf Grading Overview (drawing ref. 1342.405.01 Rev D);
  - Golf Grading 1 of 4 (drawing ref. 1342.405.02 Rev C);
  - Golf Grading 2 of 4 (drawing ref. 1263.405.03 Rev B);
  - Golf Grading 3 of 4 (drawing ref. 1263.405.04 Rev B);
  - Golf Grading 4 of 4 drawing ref. 1263.405.05 Rev B);
  - Golf Grading Analysis (Alternative A6-A58 Connection) (drawing ref. 1342.415.03)
  - General Arrangement Overview Plan (drawing ref. LUC\_11305\_LD\_PLN\_200 Issue D);
  - General Arrangement Plans Site Wide (3 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_203 Issue D);
  - General Arrangement Plans Site Wide (4 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_204 Issue E);
  - General Arrangement Plans Site Wide (5 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_205 Issue E);

- General Arrangement Plans Site Wide (6 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_206 Issue E);
- General Arrangement Plans Site Wide (7 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_207 Issue E);
- General Arrangement Plans Site Wide (8 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_208 Issue E);
- General Arrangement Plans Site Wide (9 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_209 Issue E);
- General Arrangement Plans Site Wide (10 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_210 Issue E);
- General Arrangement Plans Site Wide (11 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_211 Issue D);
- General Arrangement Plans Site Wide (12 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_212 Issue E);
- General Arrangement Plans Site Wide (13 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_213 Issue E);
- General Arrangement Plans Site Wide (14 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_214 Issue E);
- General Arrangement Plans Site Wide (15 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_215 Issue E);
- General Arrangement Plans Site Wide (16 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_216 Issue E);
- General Arrangement Plans Site Wide (17 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_217 Issue D);
- General Arrangement Plans Site Wide (18 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_218 Issue D);
- General Arrangement Plans Site Wide (19 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_219 Issue D);
- General Arrangement Plans Site Wide (20 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_220 Issue E);
- General Arrangement Plans Site Wide (21 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_221 Issue E);
- General Arrangement Plans Site Wide (22 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_222 Issue E);
- General Arrangement Plans Site Wide (23 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_223 Issue D);
- General Arrangement Plans Site Wide (24 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_224 Issue D);
- General Arrangement Plans Site Wide (25 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_225 Issue E);
- General Arrangement Plans Site Wide (26 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_226 Issue E);

- General Arrangement Plans Site Wide (27 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_227 Issue E);
- General Arrangement Plans Site Wide (28 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_228 Issue A);
- General Arrangement Plans Site Wide (29 of 29) (drawing ref. LUC\_6628\_LD\_PLN\_229 Issue A);
- External Lighting Proposals (drawing ref. 3329-KIN-XX-XX-E-DR-6300 PL2);
- Utility Proposals (drawing ref. 3329-KIN-XX-EX-ME-DR-6000 PL2);
- Clubhouse Lower Ground Floor General Arrangement Plan (drawing ref. L(20)24 38 A);
- Clubhouse Ground Floor General Arrangement Plan (drawing ref. L(20)39A);
- Clubhouse Roof General Arrangement Plan (drawing ref. L(20)40A);
- Clubhouse General Arrangement Elevations (drawing ref. L(20)41A);
- Clubhouse Section A-A (drawing ref. L(20)42);
- Clubhouse Car Park (drawing ref. L(20)45);
- Academy Ground Floor General Arrangement Plan (drawing ref. L(20)27A);
- Academy Roof General Arrangement Plan (drawing ref. L(20)28B);
- Academy General Arrangement Elevations (drawing ref. L(20)51);
- Academy Sections A-A B-B C-C (drawing ref. L(20)19A);
- 9 Hole Adventure Golf & 9 Hole Ryder Cup Course (no drawing ref);
- Hotel Lower Ground Floor General Arrangement Plan (drawing ref. L(20)01);
- Hotel Ground Floor General Arrangement Plan (drawing ref. L(20)02);
- Hotel First Floor General Arrangement Plan (drawing ref. L(20)03);
- Hotel Second Floor General Arrangement Plan (drawing ref. L(20)04);
- Hotel Third Floor General Arrangement Plan (drawing ref. L(20)05);
- Hotel Fourth Floor General Arrangement Plan (drawing ref. L(20)06);
- Hotel Roof General Arrangement Plan (drawing ref. L(20)07A);
- Hotel Elevations North & South (drawing ref. L(20)46);
- Hotel Elevations East & West (drawing ref. L(20)47A);
- Hotel Sections A-A B-B (drawing ref. L(20)48);
- Maintenance Shed Ground Floor Plan (drawing ref. L(20)49A);
- Maintenance Shed General Arrangement Elevations & Sections (drawing ref. L(20)50A);
- Bridge 01 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00020 P1);



- Bridge 02 (Stone) GA and Section (drawing ref. 60648596-AEC-XXXX-DR-C-00021 P2);
- Bridge 02 (Steel) GA and Section (drawing ref. 60648596-AEC-XXXX-DR-C-00031 P1);
- Bridge 03 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00022 P1);
- Bridge 04 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00023 P1);
- Bridge 05 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00024 P1);
- Bridge 07 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00026 P1);
- Bridge 08 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00027 P1);
- Bridge 09 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00028 P1);
- Bridge 10 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00029 P1);
- Bridge Location Plan Option B (drawing ref. 60648596-AEC-XX-XXDR-C-00036 - P1);
- A6 - A58 Snydale Way Option B Bridge 1B (drawing ref. 60648596-AEC-XX-XX-DR-C-00037 P1);
- A6 - A58 Snydale Way Option B Bridge 2B (drawing ref. 60648596-AEC-XX-XX-DR-C-00038 P1);
- A6 - M61 Jct 5 Bridge 03 GA and Section (drawing ref. 60648596-AEC-XX-XX-DR-C-00034 P1);
- A6 - A58 Snydale Way Option B Bridge 4 (drawing ref. 60648596-AEC-XX-XX-DR-C-00039 P1);
- Detailed Area; Hotel and Pleasure Grounds, Sheets 1 to 4 (drawing refs. 11305-LD-PLN-230 Issue C, 11305-LD-PLN-231 Issue C, 11305-LD-PLN-232 Issue C and 11305-LD-PLN-233 Issue C)
- Detailed Area; Clubhouse (drawing ref. 11305-LD-PLN-234 Issue E);
- Detailed Area; Golf Academy (drawing ref. 11305-LD-PLN-235 Issue D);
- Detailed Area; Golf and Academy Entrance (drawing ref. 11305-LDPLN-236 Issue D);
- Hedges Created, Lost and Retailed (drawing ref. G5136.098A);
- Proposed Internal Road Layout (drawing ref. 60648596-AEC-XX-XXDR-C-00010 P4);
- Construction Pavement Details (drawing ref. 60648596-AEC-XX-XXDR-C-00011 P2);
- Underpass GA and Sections (drawing ref. 60648596-AEC-XX-XX-DRC-00012 P1);

- Park Avenue - A58 Snydale Way Connection OPTION B (drawing ref. ITM10187-SK-324);
  - A58 Snydale Way Roundabout – Proposed Park Avenue Connection (drawing ref. ITM10187-SK-325);
  - Park Avenue/A6 Roundabout (drawing ref. ITM10187-SK-244B);
  - Park Avenue (Route through RPG) (drawing ref. ITM10187-SK-317);
  - Proposed A6 Manchester Road/Golf Resort/Golf Academy Accesses (drawing ref. ITM10187-SK-197C).
  - Park Avenue - A58 Snydale Way Connection Option B1 M61 J5 Roundabout Mitigation Scheme (drawing ref. ITM10187-SK-337 Rev A)
  - Park Avenue - A58 Snydale Way Connection Option B1 M61 J5 Signalisation Mitigation (drawing ref. ITM10187-SK-338)
- 31) Notwithstanding the approved plans, no phase of the full permission (as defined by Condition 1) shall commence until the following details in respect of that phase have been submitted to, and approved in writing by, the local planning authority:
1. all materials to be used on all external elevations of any buildings;
  2. all materials to be used in respect of hard landscaping works, including boundary treatments and surfacing materials;
  3. any materials to be imported to the site for the purpose of constructing the golf course;
  4. the colour of the materials to be used to surface buggy paths;
  5. the location, scale and appearance of direction signs, tee markers, hole flags and other golf course furniture required for the operation of the golf resort;
  6. the detailed design of any lakes or waterbodies associated with the golf course;
  7. the detailed design of any watercourse crossings or other structures and or works that physically affect water bodies;
  8. a detailed scheme in respect of the golf buggy underpass, to be prepared in broad accordance with the "Underpass GA and Sections" (drawing ref. 60648596-AEC-XX-XX-DRC- 00012 P1); and
  9. details of the existing and proposed site levels and finished floor levels of the buildings and the level of the proposed roads, footpaths and other landscaped areas relative to above ordnance datum points, the location of which has previously been approved by the local planning authority.
- The full permission shall thereafter be carried out in accordance with the approved details.
- 32) The Adventure Golf Course, hereby approved as shown on drawing "9 Hole Adventure Golf & 9 Hole Ryder Cup Course", shall not be begun until details of its layout, appearance, scale and landscaping have been submitted to, and approved in writing by, the local planning authority. The Adventure Golf Course shall thereafter be implemented in full in accordance with the approved details prior to its first use.

- 33) The Landform Art, hereby approved as shown on Illustrative Landscape Masterplan: Site Wide (Outline Development) Option B (drawing ref. 11305-LD-PLN-104 Issue A), shall not be begun until details of its layout, appearance, scale and landscaping have been submitted to, and approved in writing by, the local planning authority. The Landform Art shall thereafter be implemented in full in accordance with the approved details prior to its first use.
- 34) Prior to the commencement of each phase of the full permission (as defined by Condition 1) a detailed specification for the restoration of historic structures and features, as identified within the "Historic Structures: Condition/Repair Issues Report" (Version 4, June 2021), within that phase shall be submitted to, and approved in writing by, the local planning authority.

The specification for each phase shall be prepared in accordance with the "Historic Structures: Condition/Repair Issues Report" (Version 4, June 2021) and shall include:

- i. a detailed condition survey of all historic structures and features within that phase, as identified in that report, including all lakes, streams, dams and cascades;
- ii. a schedule of restoration works for each structure and feature;
- iii. the method of restoration works for each structure and feature; and
- iv. a programme for the implementation of the proposed restoration works for each structure and feature.

Each phase of the full permission shall thereafter be carried out in accordance with the approved specification and programme.

- 35) Prior to the de-silting of the Ornamental Lakes at Back O'th Lawn Woods and Mill Dam, a Lake De-Silting and Restoration Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include:
- plans showing the extent and working footprint of de-silting proposals
  - details of any preliminary invasive non-native species, tree/scrub or fish removal required.
  - the preferred de-silting technique to be adopted.
  - temporary access and working arrangements to undertake de-silting operations.
  - pollution prevention measures to be adopted during de-silting operations.
  - the proposed treatment of excavated silt and sediments.
  - methodology of refilling de-silted lakes.
  - proposals for landscape reinstatement and the restoration of the lakes and associated banksides.
  - a task specific water management plan.
  - a task specific waste management plan.

- a programme for implementation.
- details of the proposed temporary haul roads, in accordance with the outline routes presented within drawing refs. PSAMACM-XXXX-DR-CE-0031 and PSAM-ACM-XX-XX-DR-CE-0032 (within the Outline Lake Desilting Feasibility Study, ref. MARP0001/PJP/LE/LB/Revision 2) unless otherwise agreed in writing by the local planning authority.

Thereafter, the development shall be carried out in accordance with the approved Plan. Thereafter, the works set out in the approved Plan shall be maintained.

- 36) Prior to operation or occupation of each phase of the development within the Registered Park and Garden (as defined by Condition 1) the specification for and design of interpretative signage and other material to be provided in that phase shall be submitted to, and approved in writing by, the local planning authority. The approved scheme for each phase shall be completed prior to first operation or first occupation of that phase and thereafter retained.
- 37) Prior to the demolition of Hulton Cottage, details of the relocation of the blue heritage plaque presently mounted on Hulton Cottage shall be submitted to, and approved in writing by, the local planning authority. The details shall include a programme for relocation of the plaque. The blue heritage plaque shall be displayed in accordance with the approved details and thereafter permanently retained in that position.
- 38) Prior to the operation of the Hulton Hall Golf Resort hereby approved, the detailed design of 6 (no.) 'bat hotels' shall be submitted to, and approved in writing by, the local planning authority. The bat hotels shall thereafter be installed in accordance with the approved design and in the locations identified on approved drawing ref. G5136.113, as enclosed within the "Bat Management Strategy" (document ref. 5136.065 V4) at Appendix H of the "Interim Landscape and Habitat Management Plan" prior to the operation of the golf resort.
- Thereafter, the bat hotels shall be retained in accordance with the approved details.
- 39) Prior to the demolition of any of the buildings at Home Farm, a barn owl method statement in respect of each of those buildings shall be submitted to, and approved in writing by, the local planning authority. The method statement shall be prepared in broad accordance with the details provided in the "Barn Owl Management Strategy" (document ref. 5136.064 V2) at Appendix G of the "Interim Landscape and Habitat Management Plan". The demolition works shall thereafter be undertaken in accordance with the approved method statement.
- 40) Prior to the construction of the Clubhouse hereby approved, a planting specification and maintenance plan for the areas of green roof shown on the "Clubhouse Roof General Arrangement Plan" (reference: L(20)40A) shall be submitted to, and approved in writing by, the local planning authority. The planting specification should include a wildflower species mix.

The green roof shall be installed prior to the first use of the Clubhouse in accordance with the approved details. Thereafter it shall be maintained in accordance with the approved maintenance plan.

- 41) Prior to the first operation of the hotel complex, a scheme for traffic control measures, including appropriate signage, which imposes a one-way traffic system along the historic driveway, shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented in full, in accordance with the approved details prior to the first operation of the hotel complex and permanently retained thereafter.
- 42) Prior to the first operation of the Hulton Hall Golf Resort, a travel plan for the Golf Resort shall be submitted to, and approved in writing by, the local planning authority. The travel plan should be consistent with the objectives, targets, governance arrangements and monitoring schedule set out in the "Hulton Hall and Golf Resort Framework Travel Plan" (document ref. ITM10187-043 Rev A).

The Hulton Hall Golf Resort shall be operated at all times in accordance with the approved travel plan.

- 43) Prior to the occupation or operation of the Hulton Hall Golf Resort a scheme shall be submitted and approved in writing by the Local Planning Authority, which details the measures that will be implemented to manage and/or mitigate the propensity for errant golf balls to present a risk to users of the Strategic Road Network. The management and/or mitigation scheme shall be implemented in accordance with the approved scheme throughout the lifetime of the development.
- 44) The operational hours of the Hulton Hall Golf Resort shall be limited as follows:

The Golf Course

- The Golf Course shall only be open to patrons between 06:00 hours and 22:00 hours daily.
- The Golf Course, Maintenance Building/facility shall only be operated between 05:00 hours to 23:30 hours daily
- No grass mowing/cutting at the golf course should be undertaken between the hours of 22:00 and 05:00.
- No grass mowing/cutting at Holes 14 & 15 of the golf course should be undertaken prior to 07:00.
- There shall be no mowing/cutting of rough/semi-rough/far rough areas of the golf course prior to 07:00.
- All greens and tees within the golf course should be mowed with a mower with a sound level not exceeding 101dBLW.

The Clubhouse

- The Clubhouse shall only be open to patrons between 06:00 hours and 00:00 hours daily, except during the staging of a golf tournament.
- Use of the rooftop terrace of the Clubhouse shall only take place between the hours 08:00 to 22:00 at all times.

The Academy

- The Academy shall only be open to patrons between 06:00 hours and 22:00 hours daily.

- External lighting used for the operation of the driving range shall be not be switched on between 22:00 hours and 06:00 hours daily.
- Grass cutting at the Academy site shall only take place between the hours of 08:00 hours to 20:00 hours daily.
- Grass cutting of within the Academy should be mowed with a mower with a sound level not exceeding 101dBLW.
- Between the 22:00 hours and 06:00 hours daily any ball collector used must not exceed background noise levels at 1m from the façade of the nearest and most exposed noise-sensitive receptors, including those locations specified in Table A12.61 of "Environmental Statement Update November 2021, Volume 3, Appendix 12.6: Operational Noise Assessment – Scenario 1, Full Development".

#### Deliveries and Servicing

- No deliveries shall be taken at, or despatched from, the Clubhouse, Academy building, Maintenance Compound or the Hotel complex other than between 08:00 hours and 21:00 hours daily.
- 45) Prior to the first operation of the Hulton Hall Golf Resort, a Noise Management Plan (NMP) containing details of the methods to be employed to prevent noise disturbance during the operating hours of the Golf Resort (as defined by Condition 44) shall be submitted to, and approved in writing by, the local planning authority. The approved details shall be implemented prior to first operation of the golf resort and shall thereafter be operated and retained in accordance with the approved NMP.
- 46) The free-field noise rating level ( $L_{Ar,Tr}$ ), as determined by the methodology given in BS4142:2014+A1:2019, from all sources associated with the Hulton Hall golf resort covered under the scope of BS 4142:2014, when operating simultaneously or individually, shall not exceed the background sound levels ( $L_{A90,T}$ ) at 1m from the façade of the nearest and most exposed noise-sensitive receptors, including those locations that are specified in "Table 12.10 of Chapter 12 of Environmental Statement Update November 2021".
- 47) The Academy hereby approved, shall not be brought into use until a 1.8 metre-high, close-boarded acoustic fence has been erected in the location identified by drawing refs. "LUC-11305-LD-PLN-202 Issue E", "LUC-11305-LD-PLN-205 Issue E" and "LUC-11305-LD- PLN-206 Issue E", with the exception of the fence around the property Knowles Bridge Farm as shown on plan "LUC-11305-LD-PLN-202 Issue E". The barrier shall be constructed from continuous, imperforate material with a minimum mass of 12 kg/m<sup>2</sup> and is to extend from the ground to a minimum height of 1.8m. The fence shall be retained thereafter.
- 48) At least 60 days prior to the first hosting of any outdoor public access events on the site within any given calendar year, a programme of such events for that calendar year shall be submitted to and approved in writing by the local planning authority. Each programme shall identify the frequency, timings and other organisational details of such events, and shall thereafter be implemented in accordance with the approved details. Each programme shall include the following details:

- All outdoor events to be held within the Registered Park and Garden;
  - Outdoor events to be held in the Great Park, including outdoor music events (of which there shall be no more than 3no. per calendar year), outdoor theatre events and any such other outdoor events;
  - Outdoor events to be held within the grounds of the Hotel, including outdoor theatre events, outdoor catering, and any such other outdoor events;
  - Outdoor events to be held at the Health & Wellbeing Hub which are anticipated to have participants/spectators exceeding 250 persons;
  - Any noise mitigation measures to be implemented for each event, including noise level restrictions, timing restrictions, and any other such measures to minimise noise impact; and
  - An Event and Travel Management Plan for each type of event to be held in that calendar year.
- 49) Prior to the first operation of the Hulton Hall Golf Resort, a scheme for the provision of electric vehicle charging points within the golf resort shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be prepared in accordance with the Institute of Air Quality Management (IAQM) Guidance on Land Use Planning and Development Control: Planning for Air Quality (Version 1.2, January 2017) and comprise 10% of the total parking provision in the golf resort. The charging points shall be provided in accordance with the approved scheme prior to the first operation of the golf resort and permanently maintained thereafter.
- 50) Prior to the first operation of the clubhouse, academy building, and hotel complex, a scheme for the installation of equipment to control the emission of fumes and smells/odours from the respective buildings/uses shall be submitted to, and approved in writing by, the local planning authority. The requirements of the scheme shall be in line with EMAQ "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" 2018.
- Neither the clubhouse, academy building, nor the hotel complex shall be occupied until the equipment to control the emission of fumes and smells/odours in respect of that building(s), has been installed in accordance with the approved scheme. The equipment shall thereafter be operated and maintained at all times in accordance with the manufacturer's instructions.
- 51) The Hulton Hall Golf Resort shall achieve the Golf Environmental Organisation (GEO) Certified® Development 'Sustainable Golf' accreditation. The Hulton Hall golf resort shall not be begun until a GEO Certified® pre-construction report setting out the means by which the golf resort will be implemented in order to secure the accreditation, is submitted to, and approved in writing by, the local planning authority.
- Within six months of the completion of the Hulton Hall Golf Resort, a GEO Certified® completion report identifying the extent to which the development has been undertaken in accordance with the approved pre-construction report and certifying that the development has achieved the

GEO Certified® Development 'Sustainable Golf' accreditation shall be submitted to the local planning authority.

- 52) The Clubhouse, Academy building, Hotel Complex, Lodges, Cabins and Restaurant with Rooms, within the Hulton Hall Golf Resort shall achieve an 'excellent' Building Research Establishment Environmental Assessment Methodology (BREEAM) rating under the BREEAM UK 2018 New Construction Methodology (or any subsequent replacement). The construction of the Clubhouse, Academy building and/or the Hotel complex shall not be begun until an Interim Certification of the stipulated BREEAM rating of the respective buildings has been submitted to and approved in writing by the local planning authority.

Within six months of the completion of the Clubhouse, Academy Building and Hotel complex, a Final Certificate certifying that each building has achieved the stipulated BREEAM rating shall be submitted to the local planning authority.

- 53) Prior to the operation of the Golf Resort, a long-term sustainable management strategy will be submitted to, and approved in writing by, the local planning authority. The requirements of the scheme shall be in line with the approved "Sustainability Strategy, September 2021". All measures shall be implemented in full in accordance with the approved scheme and retained thereafter for the lifetime of the development.
- 54) No temporary facilities associated with any golf tournament to be held at the Hulton Hall Golf Resort shall be erected or installed until details of their scale, landscaping, access, appearance and layout, and details of any associated works relating to their installation including the removal of such facilities and restoration of the land upon which the temporary facilities are to be erected, have been submitted to, and approved in writing by, the local planning authority. The temporary facilities shall be erected and installed in accordance with the approved details and in accordance with an approved timetable which shall include a timetable for removal of all temporary structures and facilities and any reinstatement provisions.
- 55) No works associated with the temporary grading operations required to facilitate the hosting of the Ryder Cup, the location of which works is defined by the "Interim Temporary Grading Operations Areas" (drawing ref. 11305-LD-PLN-002 Rec C), shall commence until full details of the works, including existing site levels, proposed site levels required for delivery of the temporary golf staging, a programme for implementation and proposals for restoration of the land (including a programme for such restoration), have been submitted to and approved by the local planning authority.

The works shall be carried out and the land subsequently restored in accordance with the approved details.

- 56) Prior to staging any golf tournament at the site, an Event and Travel Management Plan (ETMP) shall be submitted to, and approved in writing by, the local planning authority. The ETMP shall be prepared in accordance with the principles set out in the "Interim Event and Travel Management Plan" (document ref. ITM10187-046A) and shall include:



- i. measures relating to the management of impacts on ecology, which shall include details concerning the protection of bluebells following the completion of a bluebell survey to be undertaken in the month of May preceding the relevant tournament and in line with the details provided in the "Native Bluebell Management Strategy" (document ref. 5136.059 V2) at Appendix B of the "Interim Landscape and Habitat Management Plan";
- ii. a strategy for the installation of temporary external lighting, which shall include details concerning a) the protection of features of importance for bats as identified in the "Bat Management Strategy" (document ref. 5136.065 V4) at Appendix H of the "Interim Landscape and Habitat Management Plan", and b) a programme for the removal of the temporary lighting after its installation; and
- iii. measures relating to the management of impacts on arboriculture, which shall include details of all temporary tree protection measures for use during the relevant tournament, timing of installation and specifications for all physical barriers, and a strategy for monitoring effects, demobilisation and reinstatement in accordance with the "Arboricultural Impact Assessment" (document ref. 5136.06.001 Version 2.0, November 2021) and Appendix A of the "Interim Landscape and Habitat Management Plan".
- iv. An environmental management plan, setting out measures to prevent the pollution and physical damage to water bodies including an emergency response plan to address unexpected incidents arising from the operation of golf tournaments, in accordance with Chapter 14 "Environmental Statement Update November 2021, Volume 1".

No golf tournament shall be held otherwise than in accordance with the approved ETMP. All restoration and/or reinstatement works shall be carried out in accordance with the approved ETMP.

- 57) No phase of development hereby approved in full (as defined by Condition 1) shall commence (including earthworks) until a scheme for preventing damage, as a result of the development, to any existing water mains under the control of United Utilities (or their successor(s) in title) that are laid within the site boundary, has been submitted to and approved in writing by the local planning authority.

The scheme shall include a construction method statement detailing the measures to protect United Utilities' assets during:

- i. any site investigation work;
- ii. the construction and decommissioning of all development phases, including proposed landscaping; and
- iii. the future day to day operation and maintenance of the development.

The scheme must also include proposals for reinforcement of any crossing points to ensure United Utilities' assets are protected from heavy loads during and after construction. The details shall outline the potential impacts on the water mains from construction activities (including the construction compound) and the impacts post completion of the development on the water main infrastructure that crosses the site and

identify any mitigation measures (together with a programme for their implementation) to protect and prevent any damage to the water main both during construction and post completion of the development.

All mitigation measures shall be implemented in full in accordance with the approved scheme and retained thereafter for the lifetime of the development. The approved method statement shall be in line with United Utilities' document 'Standard Conditions for works adjacent to pipelines' (document ref. 90048, Issued 3.1, July 2015).

- 58) No phase of development hereby approved in full (as defined by Condition 1) shall commence until details of a sustainable surface water drainage scheme and foul water drainage scheme for that phase, in broad accordance with the "Indicative Drainage Strategy Report" (document ref. 60648956-AEC-XX-XX-RP-C-00001 P3), have been submitted to and approved in writing by the Local Planning Authority.

Each drainage scheme must include:

- An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof);
- A restricted rate of discharge of surface water;
- Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- Details of any mitigation measures to manage the risk of sewer surcharge;
- An overland flow and exceedance plan;
- Proposals to ensure that foul and surface water drain on separate systems;
- Details of an appropriate water quality risk assessment to ensure adequate treatment of diffuse or point source urban pollutants in surface water runoff;
- Confirmation that it shall comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) (or any subsequent replacement national standards); and
- A timetable for implementation.

Each approved scheme shall be carried out and no surface water shall discharge to the public combined or foul sewer either directly or indirectly.

Thereafter, each approved drainage scheme shall be retained for the lifetime of the development.

- 59) No phase of the Hulton Hall Golf Resort (as defined by Condition 1) shall commence until details of a golf course surface water runoff water quality monitoring programme (including a programme for its implementation) has been submitted to, and approved in writing by, the local planning authority. The approved water quality monitoring programme shall be undertaken for a minimum of three years.

Data generated by the approved monitoring programme will be used to inform the development of the most sustainable ongoing grass management strategy for the golf course.

- 60) Prior to the Hulton Hall Golf Resort first being brought into use, a scheme which details the design, location and size of facilities to store refuse and waste materials for the Clubhouse, Academy Building, Maintenance building and Hotel complex shall be submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented in full prior to the first operation of the golf resort and permanently retained thereafter.

**The Outline Planning Permission**

- 61) The outline permission shall be carried out in accordance with the following approved plans and documents:
- Parameters Plan (drawing ref. NS010-PP-001-G);
  - Demolition Plan (drawing ref. 11305-LD-PLN-010 Rev D);
  - Design and Access Statement (document ref. 11305-LD-REP-700 (Version 4))
  - Dearden’s Farm Design Code (document ref. NS010\_DC\_001a (Nov 2021));
  - Park End Farm Design Code (document ref. NS010\_DC\_002 a (Nov 2021));
  - Park Rows Design Code (document ref. NS010\_DC\_003 a (Nov 2021));
  - Hulton Parklands Design Code (document ref. HPPDC 001, 21 December 2021);
  - Restaurant & Rooms: Ground Floor Site Plan (drawing ref. P21084-FCH-SI-00-DR-A-0200 P02);
  - Restaurant & Rooms: First Floor Site Plan (drawing ref. P21084-FCH-SI-01-DR-A-0201 P02);
  - Lodges: Site Plan (drawing ref. P21085-FCH-XX-01-DR-A-0300 P02);
  - Platt Lane / Lee Hall Quarter Access (drawing ref. ITM10187- SK-288);
  - Park Avenue / North Road / Green Common Lane and Wood End / Hole 16 Access (drawing ref. ITM10187-SK-264E);
  - Proposed Access to Dearden’s Farm (drawing ref. ITM10187- SK-145F);
  - Proposed Access to Park End Farm via Broadway (drawing ref. ITM10187-SK-191E); and
  - Proposed Access to Park End Farm via Woodlands Drive (drawing ref. ITM10187-SK-314).
- 62) Reserved matters submission/s for each phase of the development [as approved in outline] (as defined by Condition 1) shall include the following details in respect of that phase:
- (a) existing and proposed levels of the buildings, roads, footpaths and other landscaped areas;
- (b) finished floor levels of all buildings (defined relative to a datum or datum points the location of which has previously been approved in writing by the local planning authority);]

(c) 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;

(d) 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 (the scheme shall also specify the scale, type and design of the open space and children's play facilities to be provided within and/or for that phase).; and

(e) a crime prevention scheme for that phase, which shall be in broad accordance with the details and parameters provided in the "Crime Impact Statement" (document ref. 2016/1030/CIS/02 VERSION A November 2021).

No phase of the development 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.

- 63) As defined on the "Parameters Plan" (drawing ref. NS010-PP-001- G) and the "Hulton Parklands Design Code" (document ref. HPPDC 001, 21 December 2021), the following uses hereby approved in outline shall be carried out in accordance with the following parameters.

Use	Use Class	Parameters	Operating Hours
Local Centre	Use Classes E(a), E(b), E(c), E(e) and E(g)(ii)	Max Floorspace: 500 square metres (GIA) at ground floor level	Premises and units within the Local Centre shall only be open to customers between the following hours: 08:00 – 22:00. Deliveries should only occur between the following hours: 08:00 – 21:00.
Local Retail Store (Great Chequerbent)	Use Class E(a)	Max Floorspace: 500 square metres (GIA) Max Height: 8 metres	The Local Retail Store shall only be open to customers between the following hours: 06:00 – 23:00. Deliveries should only occur between the following hours: 08:00 – 21:00.
Chequerbent Barns	Use Classes E(a), E(b) and E(d)	Max Floorspace: 1,350 square metres (gross), including no more than 500 square metres (GIA) of retail (Use Class E(a)) floorspace. Max Height: 12 metres	The Chequerbent Barns shall only be operated between the following hours: 08:00 – 23:00. Deliveries should only occur between the following hours: 08:00 – 21:00.
Leisure Centre	Use Classes E(a), E(b), E(d), F2(c) and F2(d)	Max Floorspace: 2,608 square metres (GIA) Max Height: 10 metres	The Leisure Centre shall only be operated between the following hours: 06:30 – 21:30. Deliveries should only occur between the following hours: 08:00 – 21:00.
Health & Well-Being Hub	Use Classes E(a), E(b), E(e), E(d), F1(d) and F1(e)	Max Floorspace: 1,350 square metres (GIA) Max Height: 10 metres	The Health and Well-Being Hub shall only be operated between the following hours: 08:00 – 17:00. Deliveries should only occur between the following hours: 08:00 – 21:00.

Conversion of Dearden's Farm Buildings	Use Classes E(a), F2(b) and C3	Max Floorspace: Incidental Retail: 100 square metres (GIA) Community Facility: 150 square metres (GIA)	The Incidental Retail Store shall only be open to customers between the following hours: 08:00 – 18:00. The Community Facility/Village Hall shall only be operated between the following hours: 08:00 –21.00. There shall be no amplified or live music. Deliveries should only occur between the following hours: 08:00 – 21:00.
Primary School	Use Classes F1(a) and E(f)	Max Height: 9 metres	N/A
Restaurant with Rooms & Cabins	Use Classes E(b) and C1	Max Height: Restaurant with Rooms: 8.2 metres Cabins: 7 metres (two northern cabins) and 5 metres (five southern cabins)	The Restaurant element shall only be operated between the following hours: 07:00 – 01:00. Deliveries should only occur between the following hours: 08:00 – 21:00.
Lodges	Use Class C1	Max Height: 8.5 metres	N/A
Allotments	N/A	Max Area: 10,500 square metres (GIA)	N/A

- 64) Prior to the occupation of any building or dwelling within each phase of the outline permission (as defined by Condition 1) a scheme for the provision of electric vehicle charging points within that phase shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be prepared in accordance with Institute of Air Quality Management (IAQM) "Guidance on Land Use Planning and Development Control: Planning for Air Quality" (dated January 2017) and secure the delivery of:
- Residential: one charging point per dwelling where there is dedicated parking or one charging point per 10 car parking spaces where there is not allocated parking.
  - Non-Residential: 10% of the total number of parking spaces will be provided with electric vehicle charging points.
- No building or dwelling within each phase of development shall be occupied until the charging point(s) to serve that building or dwelling has/have been provided and commissioned in accordance with the approved scheme. The charging points shall be permanently retained and maintained in full working order thereafter.
- 65) The reserved matters details submitted in respect of each phase of the outline permission (as defined by Condition 1), shall be accompanied by a noise impact assessment, the scope of which shall be agreed in advance with the Local Planning Authority.
- 66) Each noise impact assessment shall, where relevant, include an assessment of the likely noise levels from the following sources in respect of that phase:
- mowing and grass cutting operations associated with the golf course;
  - maintenance facilities;
  - road traffic noise;
  - fixed plant and equipment associated with buildings;

- all commercial and retail activities;
- any multi-use games area and/or outdoor play areas connected to the school hereby permitted.

No residential dwelling, other noise-sensitive or noise generating use within each phase of the outline permission shall be occupied until any recommended noise mitigation/attenuation measures in the approved noise impact assessment for that phase have been completed. Such measures shall be retained and maintained in full permanently thereafter.

- 67) The reserved matters details submitted in respect of 'Park Avenue', hereby approved in outline and shown on the approved Parameters Plan (reference NS010-PP-001 G), shall be accompanied by a scheme of noise mitigation. The scheme shall include a 3m bund topped with a 3m noise barrier (along the western edge of Park Avenue between the A6 and Platt Lane shown on the approved Parameters Plan (reference NS010-PP-001 G)). The barrier is to be constructed from continuous, imperforate material with a minimum mass of 12 kg/m<sup>2</sup> and is to extend from the ground to a minimum height of 3m above the height of the bund. Close-boarded or overlapped timber panelling or a proprietary acoustic fence with a minimum weighted sound reduction index of 25 dB Rw. 'Park Avenue' shall not be brought into use until the approved noise mitigation scheme has been implemented in full. The approved scheme shall thereafter be retained for the lifetime of the development.
- 68) The reserved matters details submitted in respect of each phase of the outline permission (as defined by Condition 1) shall be accompanied by a detailed external lighting plan for that phase. The plan shall be prepared in broad accordance with the details and parameters provided in the "Lighting Impact Assessment" (document ref. 2913 P5) and illustrated on drawing ref. "3329-KINXX-XX-E-DR-6300 PL2". The external lighting plan shall (where applicable to that phase) include details regarding the protection of key features of importance for barn owls and bats as identified in the "Barn Owl Management Strategy" (document ref. 5136.064 V2) and "Bat Management Strategy" (document ref. 5136.065 V4) at Appendix G and H of the "Interim Landscape and Habitat Management Plan", as well as the "Hulton Parklands Design Code" (document ref. HPPDC 001, Nov 21 December 2021).
- Each phase of the outline permission shall be carried out in accordance with the approved lighting plan for that phase. All approved lighting shall thereafter be retained.
- 69) Prior to commencement of construction of any buildings hereby approved in outline that are proposed to contain basements, the results of a further groundwater assessment, including identification of any necessary mitigation measures required to prevent the flooding of the basements of those buildings, shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and all mitigation measures shall thereafter be retained.
- 70) As part of the first submitted reserved matters application for the outline permission (as defined by Condition 1 a site wide foul and surface water drainage strategy based on sustainable drainage principles and in broad accordance with the "Indicative Drainage Strategy Report" (document

ref. 60648956-AEC-XX-XX-RP-C-00001 P3), shall be submitted to and approved in writing by the Local Planning Authority.

As part of the first reserved matters application for each subsequent phase of the development (as defined by Condition 1, an updated strategy insofar as it relates to that phase shall be submitted to the Local Planning Authority to reflect any change in circumstances.

The site wide foul and surface water drainage strategy shall include the following details:

- proposed foul connection points to the existing public sewerage infrastructure for the entire site;
- a detailed investigation of the hierarchy of drainage options across the entire site to identify the most sustainable option for the discharge of surface water. Any investigation shall include an assessment of ground conditions across the entire site to identify and utilise any areas for infiltration;
- details of an appropriate water quality risk assessment to ensure adequate treatment of diffuse or point source urban pollutants in surface water runoff;
- finished floor levels and site levels in AOD across the entire site that mimic any natural flow paths to deliver the most sustainable drainage option;
- any drainage infrastructure connections (foul and surface water) including the volume of flows between the different phases / development parcels of the development defined by Condition 1;
- any drainage infrastructure connections (foul and surface water) including the volume of flows between the different phases / development parcels of the development defined by Condition 1; and
- any parts of the site where foul pumping is necessary (the strategy shall minimise the number of pumping stations).

Each phase of the development shall be carried out in accordance with the approved strategy. All works carried out pursuant to the approved strategy shall thereafter be retained.

- 71) As part of the first reserved matters application for each phase of the development hereby approved in outline (as defined by Condition 1) full details of the foul and surface water drainage scheme for that phase, including full details of any connections to the foul sewer network and any necessary infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include ground and finished floor levels in AOD; details of an appropriate water quality risk assessment to ensure adequate treatment of diffuse or point source urban pollutants in surface water runoff; and the timing arrangements, storage requirements and rate of discharge for any pumped foul discharge. Foul and surface water shall drain on separate systems. The details for each phase must be consistent with the approved Foul and Surface Water Drainage Strategy in respect of that phase.

For any phase of development hereby approved in outline (as defined by Condition 1) no housing or other development shall be occupied within

that phase until the approved foul and surface water drainage scheme for that phase has been carried out in accordance with the approved details. All works carried out pursuant to the approved scheme(s) shall thereafter be retained.

- 72) Prior to the occupation of each phase of the development hereby approved in outline (as defined by Condition 1) a sustainable drainage management and maintenance plan (SDMMP) in respect of that phase shall be submitted to the Local Planning Authority and agreed in writing.

The SDMMP for each phase shall include:

- the arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a management company; and
- arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage systems, including on-site watercourses, to secure the operation of the surface water drainage scheme throughout its lifetime.

Each phase of the development shall subsequently be maintained and managed in accordance with the approved SDMMP for the lifetime of that phase.

- 73) As part of the first submitted reserved matters application for each phase of the outline permission, details of the means of ensuring United Utilities water mains that are laid within that phase are protected from damage as a result of the development shall be submitted to and approved by the Local Planning Authority in writing. A detailed construction method statement must be submitted detailing the measures to protect United Utilities assets during:

- any site investigation work;
- the construction and decommissioning of all development phases, including proposed landscaping; and
- the future day to day operation and maintenance of the development.

Each statement must include proposals for reinforcements of any crossing points to ensure United Utilities assets are protected from heavy loads during and after construction. The details shall outline the potential impacts on the water mains from construction activities (including the construction compound) and the impacts post completion of the development on the water main infrastructure that crosses that phase and identify mitigation measures (together with a programme for their implementation) to protect and prevent any damage to the water main both during construction and post completion of that phase development.

All mitigation measures shall be implemented in full in accordance with the approved details and retained thereafter for the lifetime of that phase. Each approved method statement shall be in line with United Utilities' document 'Standard Conditions for works adjacent to pipelines' (document ref. 90048, Issued 3.1, July 2015).

- 74) Prior to the first occupation of any dwelling in each phase of the Hulton Park Villages hereby approved in outline (as defined by Condition 1) a Travel Plan for that phase shall be submitted to, and approved in writing



by, the local planning authority. The Travel Plan should be consistent with the objectives, targets, governance arrangements and monitoring schedule set out in the "Hulton Park Villages Framework Travel Plan" (document ref. ITM10187-044A).

Each phase of the Hulton Park Villages shall be carried out in accordance with the approved Travel Plan for that phase.

- 75) Prior to the first occupation or operation of each of the Local Centre, Local Retail Stores, Village Hall, Chequerbent Barns, the Health & Well Being Hub and/or the Primary School, hereby approved in outline, a Travel Plan for that use shall be submitted to, and approved in writing by, the local planning authority. Each Travel Plan should be consistent with the objectives, targets, governance arrangements and monitoring schedule set out in the "Hulton Parklands and Other Community Uses Framework Travel Plan" (document ref. ITM10187-045A).

The Local Centre, Local Retail Stores, Village Hall, Chequerbent Barns, the Health & Well Being Hub and the Primary School shall be operated in accordance with the approved Travel Plan for that use.

- 76) 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.
- 77) The outline permission shall cumulatively provide new landscape planting equivalent to:
- 2,000 no. specimen trees and 5,500 square metres of woodland, in accordance with the minimum requirements and specification set out in the "Arboricultural Impact Assessment" (document ref. 5136.06.001 Version 2.0, November 2021) and as shown on the "Parameters Plan" (drawing ref. NS010-PP-001-F); and
  - 11.2km of hedgerows, in accordance with the minimum requirements and detail illustrated on the drawing "Hedges Created, Lost and Retained" (drawing ref. G5136.098A), "Retained Trees and Proposed Planting Plans" (drawing ref. D5136.06.066B to D5136.06.092B set out in the "Arboricultural Impact Assessment" (document ref. 5136.06.001 Version 2.0, November 2021)) and as shown on the "Parameters Plan" (drawing ref. NS010-PP-001-G).

A plan for the phased implementation of this new landscape planting across the outline permission shall be submitted to, and approved in writing by, the local planning authority alongside the first reserved matters application for the outline permission. The landscape planting shall thereafter be implemented in accordance with the approved phasing plan and thereafter retained.

Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, or with alternative species, size and number as approved in writing by the local planning authority.

- 78) As part of the first reserved matters application for each phase of the outline permission (as defined by Condition 1), an updated sustainability and energy statement, which shall be prepared in accordance with the details and guidance established within the "Sustainability Strategy" (dated September 2021) and appended "Commercial Energy Strategy" and "Residential Energy Strategy", shall be submitted to and approved in writing by the local planning authority.

Each phase of development shall thereafter be implemented in accordance with the approved sustainability and energy statement for that phase. All measures carried out pursuant to each approved sustainability and energy statement shall thereafter be retained.

- 79) Prior to the first occupation or operation of any building hereby approved in outline which is to be fitted with a commercial kitchen with extraction ventilation, a scheme for the installation of equipment to control the emission of fumes and smells/odours from that building shall first be submitted to, and approved in writing by, the Local Planning Authority. Each scheme shall be in line with EMAQ "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" 2018 (or any update of the same).

None of the above buildings shall be occupied until the equipment to control the emission of fumes and smells/odours in respect of that building, has been installed in accordance with the approved scheme in respect of that building. All equipment shall thereafter be operated and maintained at all times in accordance with the approved scheme and the manufacturer's instructions.

- 80) As part of the first reserved matters application relating to the following facilities hereby approved in outline:
- Restaurant (Dining with Distinction) with Rooms and Cabins
  - Lodges

A scheme for the protection of the adjacent mature woodland as suitable habitat for bats and great crested newts shall be submitted to and approved in writing by the Local Planning Authority.

Each scheme shall accord with the parameters established within the Hulton Parklands Design Code (document ref. HPPDC 001, 21 December 2021) and shall include:

- A lighting impact assessment, in accordance with "Bats and Artificial Lighting in the UK (Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/18)" (or any subsequent revision), which considers internal light spill from any building and measures to control the use of external lighting.
- A landscape scheme and management plan which includes a minimum 10-metre-wide buffer zone around the woodland edge, incorporates suitable planting to maintain bat foraging and limits the use of hard surfacing.
- Measures to ensure the advance establishment of a woodland landscape framework prior to the first occupation of the Restaurant with Rooms (Dining with Distinction), Cabins and/or Lodges.

- Provision of bat boxes appropriate to the woodland location.
- A code of conduct for overnight visitors.
- A programme for its implementation.

The Restaurant with Rooms (Dining with Distinction), Cabins and Lodges shall thereafter be implemented in accordance with the approved details for that phase. All measures carried out pursuant to the approved scheme shall thereafter be retained