

Date: 05/06/2024

Your Ref:

Our Ref:



**Mr David Kaiserman**  
**Penny O'Shea Consulting**

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Dear Mr Kaiserman,

**Response to your formal question dated 29.05.2024 regarding the Over Hulton Neighbourhood Plan**

I am responding on behalf of Bolton Council to your formal question dated 29 May 2024 (Question 1 (EQ1), regarding the implications for the Over Hulton Neighbourhood Plan of the planning permission granted at appeal in October 2022 on Hulton Park (Bolton Council reference number 12218/21).

As you have stated there was already a pre-existing grant of permission on Hulton Park (Bolton Council reference 00997/17), the application having been made in May 2017 and granted conditionally by the Secretary of State on 30 July 2020 following a "call-in" Inquiry. Paragraph 2.6 of the submitted Over Hulton Neighbourhood Plan contains reference to this earlier application. It also refers to the fact that planning application 12218/21 was refused by Bolton Council on 28 February 2022.

At the time of plan submission the information in it was therefore correct and up to date in respect of Hulton Park. The start date for the inquiry was well after the Over Hulton Neighbourhood Forum submitted the plan to Bolton Council on 19 August 2022. This eventually sat 6-7 October with the appeal being swiftly allowed on 25 October, less than three weeks later.

The Neighbourhood Plan could not therefore anticipate the appeal outcome. You will note that the original application on Hulton Park (00997/17) took more than three years to be finally determined. It would not therefore have appeared reasonable to suggest that the forum should wait for an indeterminate time for the appeal outcome before submitting their Over Hulton Neighbourhood Plan. By August 2022 the Forum had already been working on its plan for well over 4 years.

In addition to this, the impact of the more recent permission 12218/21 on the Over Hulton Neighbourhood Plan area, while significant, could be considered less than that of the already referenced permission 00997/17. For example, the later permission proposes to create a larger golf course than originally intended within the neighbourhood area, including extending the golf course over some areas of land planned to be housing in permission 00997/17. Consequently, under permission 12218/21 more of the overall housing total of up to 1036 houses (the same under both permissions) will now be outside the plan area and Green Belt, in the Lee Hall area of Westhoughton (to the west beyond the neighbourhood plan boundary). This means that the effect of the more recent permission on the Over Hulton Neighbourhood Area could be considered less and therefore we do not feel that the forum needed to wait to update the plan accordingly. The plan still flags that significant change may well take place in the area as a result of planning permission for Hulton Park.

There is also a change to the proposed road layout proposed in 12218/21, which will result in a new road being built in the north- west corner of the Over Hulton Neighbourhood Area. However, we do not feel the

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effect of this is so large for the plan that we should have requested the Over Hulton Neighbourhood Forum revise the already submitted Over Hulton Neighbourhood Plan to acknowledge it.

We would also bring your attention that Section 106 Agreements on both permissions prevent any development beginning or being initiated until key matters are confirmed. These are that the Hulton Park site is selected by the official body or organisation which is responsible for organising and awarding the Ryder Cup golf tournament as the venue for the Ryder Cup golf tournament in specified years (now 2031 or 2035) and a legally binding contract or agreement has been completed and/or is in place which secures the Golf Course as the venue.

The Ryder Cup announcement has not yet been made and this adds to uncertainty as to whether either of the permissions can be implemented. We do not feel it is appropriate to make the Over Hulton Neighbourhood Forum wait for a formal announcement on the Ryder Cup prior to submitting their plan. As with waiting for an unknown period for the appeal decision, this too could have caused a very long delay in the process of preparing a neighbourhood plan for Over Hulton.

Finally, it is inescapable that the proposed development on Hulton Park was a significant consideration for the forum in preparing the Over Hulton Neighbourhood Plan. Bolton Council has always advised that the relationship between the Over Hulton Neighbourhood Plan and the two planning applications on Hulton Park, and how the Plan addresses these, would be a matter for the examination. Representations have been made in respect of this specific matter. It is for this reason that we have not advised the forum to resubmit the plan and instead progressed to the regulation 16 publicisation stage and on to examination.

Yours sincerely,  
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