

Knowsley Council – Comments on Appeal Procedure

Local Authority Reference: 23/01037/OUT

Planning Inspectorate Reference: 6007472

Site: Land to north and east of Rose Farm, Chapel Lane, Widnes, WA8 4NX

Proposal: Outline planning application (with all matters reserved other than access reserved) (to be determined by Halton Borough Council only) for the development of up to 350 dwellings, public open space, landscaping and associated infrastructure works. Full details for site access arrangements via a new junction on Chapel Lane (to be determined by Knowsley Borough Council only) and emergency access via Sandy Lane (to be determined by Halton Borough Council).

Summary: Having regard to the Planning Inspectorate's published guidance the Council respectfully request that Written Representations, or if deemed necessary a hearing would be the appropriate procedure for the determination of the appeal submitted for the reasons set out in this report

1.0 Background

- 1.1 On 1 April 2026, Knowsley Council was advised by the Planning Inspectorate that Taylor Wimpey had submitted an appeal against the Council's refusal of planning application 23/01037/OUT.
- 1.2 The appeal documentation was shared with the Council on 2 April 2026 and confirmed that Taylor Wimpey had requested that the appeal be decided by way of a public inquiry.
- 1.3 The appeal relates to a cross boundary application which was submitted to Knowsley Council and Halton Council. As set out in the Appellant's Statement of Case only a small proportion of the site area (approximately 0.21 hectares or 1.4%) falls under the jurisdiction of Knowsley Council with the remainder of the site being located in Halton.
- 1.4 The area of the site located in Knowsley solely concerns the site access and an emergency access and the Council has been clear that the relevant considerations for Knowsley are solely related to the impacts of the access.
- 1.5 Halton Borough Council have resolved to grant planning permission for the proposed development (subject to the signing of a S106 agreement) in so far as it relates to the area of the site that falls within Halton (98.6%) and contains the substantive residential development.
- 1.6 The application was considered by Knowsley Council's Planning Committee on 6 November 2025. Planning Officers presented a report to the committee which is

available on the Council's website¹. The report recommended that the application be approved subject to conditions which had been agreed in principle with the appellant.

- 1.7 Following consideration of the Planning Officers report, recommendations and subsequent discussion Knowsley Council's Planning Committee concluded to refuse the application for the following reason *"The proposed development would have an unacceptable impact on highway safety contrary to Policies CS2, CS7 and CS19 in the Core Strategy and the National Planning Policy Framework"*.

2.0 The Council's Case for an Appropriate Appeal Process

- 2.1 In preparing this response the Council has given consideration to the following documents;

- Procedural Guide:- Planning Appeals – England (18 February 2026)
<https://www.gov.uk/government/publications/planning-appeals-procedural-guide/procedural-guide-planning-appeals-england>
- Criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals (5 August 2024)
[https://www.gov.uk/government/publications/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals](https://www.gov.uk/government/publications/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals)

- 2.2 When deciding whether or not an inquiry is the most appropriate means of deciding an appeal, the criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals identifies three relevant criteria, they will be addressed in turn.

There is a clearly explained need for the evidence to be tested through formal questioning by an advocate

- 2.3 The Council's reason for refusal relates to a single technical matter which it considers can be best dealt with through written representations. Even if the Inspector was minded that the evidence needed to be tested through questioning, this could be undertaken at a Hearing where both parties could present and articulate their own cases without the need for an advocate and cross examination. This would be sufficient to allow the Inspector to reach an informed judgement in this case.

¹ [Agenda for Planning Committee on Thursday, 6th November, 2025, 6.00 pm | Knowsley Council](#)

The issues are complex (For example where large amounts of highly technical data are likely to be provided in evidence)

- 2.4 As set out above the reason for refusal relates to a single technical matter which is not considered complex nor is it considered that ‘large amounts’ of technical data are likely to be provided in evidence. The matters raised by the refusal can be dealt with through written representations. Even if the Inspector was minded that the evidence needed to be tested through questioning, this could be undertaken at a Hearing where both parties could present and articulate their own cases without the need for an advocate and cross examination. The Inspector can then question the witnesses on these matters to assist in them reaching their conclusions on this balanced judgement. Therefore, there is no need for evidence to be tested through formal questioning by an advocate or given on oath.

The appeal has generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing

- 2.5 The Council received 294 objections and 17 letters of support when the application was publicised (which is not unusual for similar applications of this size and type). These covered a number of issues as summarised in the Committee Report and Additional Information Report which are available on the Council’s website².
- 2.6 The Council’s reason for refusal relates to a single technical matter which it considers can be dealt with through written representations, furthermore given the nature of the appeal the only material matters relate to the impacts of the access on highway safety, highway capacity and the setting of Redmyre – the Grade II Listed Building in close proximity to the proposed access.
- 2.7 Should the Inspector determine that the level of objection to the scheme means that written representations would not be appropriate, the Council believes that the nature of the proposals and relevant considerations means that a Hearing would be a more appropriate method of deciding the appeal. The Council can provide further advice on the number of people likely to attend if that is deemed necessary.

3.0 Conclusion

- 3.1 Having regard to the Planning Inspectorate’s published guidance the Council respectfully request that Written Representations, or if deemed necessary a

² [Choose agenda document pack - Planning Committee 6 November 2025 | Knowsley Council](#)

hearing would be the appropriate procedure for the determination of the appeal submitted for the reasons set out above.

- 3.2 I trust that the above is sufficient to outline the Council's position and the Council would be happy to clarify any matters raised.