

Planning Appeal: Land at Chapel Lane, Widnes

Appellant's Statement of Case

Taylor Wimpey UK Limited

31 March 2026

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1.0 Introduction & Scope of Statement

- 1.1 This Statement of Case [SoC] has been prepared on behalf of Taylor Wimpey UK Limited [‘the Appellant’] to appeal against the decision of Knowsley Council [‘the Council’] to refuse to grant permission for:

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).

- 1.2 The application site straddles the administrative boundaries of Knowsley Council and Halton Borough Council. As such, duplicate applications were submitted to both local authorities. The vast majority of the development (including the proposed dwellings, public open space, landscaping and associated infrastructure works and emergency access via Sandy Lane) are within Halton’s administrative area. The only development proposed in Knowsley Council’s administrative area is the site access from Chapel Lane (comprising one new junction and a separate emergency access).
- 1.3 It was agreed at the outset, as reflected in the description of development, that Knowsley Council would be the determining authority for the access arrangements on Chapel Lane whilst all other parts of the proposed development would be considered and determined by Halton Borough Council. A plan showing the extent of the development site boundary within each authority’s administrative area is provided at CD 1.
- 1.4 This SoC has been prepared by Brian O’Connor (Senior Director at Lichfields and a Chartered Member of the Royal Town Planning Institute). Brian has been involved from the start of the project, including securing the Site’s allocation for residential development in the Halton Delivery and Allocations Local Plan (2022), leading on the pre-application discussions and then on the preparation and negotiation of the planning applications through to determination.
- 1.5 The duplicate applications were simultaneously submitted to Halton Borough Council and Knowsley Council and validated on 14th June 2023 and 25th May 2023 respectively. The Halton application (Ref: 23/00244/OUT) was reported to Planning Committee on 1st September 2025 and unanimously approved. A draft S106 is in circulation between the applicant and Halton Borough Council and a decision notice is expected to be issued imminently
- 1.6 The application submitted to Knowsley Council was full in nature and related solely to the access arrangement onto Chapel Lane (Ref: 23/01037/OUT). The application was reported to Planning Committee on 9th October 2025 and again on 6th November 2025 following a deferral at the first Committee to facilitate a Member’s site visit. Officers recommended the grant of permission on both occasions.
- 1.7 Contrary to the recommendations in the Officer’s Report to Committee (CD 2), planning permission was refused for the following reason:

- 1 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.

1.8 A Copy of the Officer's Reports; Committee Minutes and, Decision Notice is provided at CD 2, 3, 4 and 5.

1.9 The formal Decision Notice was issued by Knowsley Council on 28th November.

Scope of Appeal

1.10 The application was refused for a single reason, relating to highway safety. The Appellant has prepared a draft Planning Statement of Common Ground (SoCG) and draft Transport Statements of Common Ground which have been forwarded to the Councils for agreement with Officers. Given the cross-boundary nature of the proposed development, a draft Transport Statement of Common Ground has also been forwarded to Halton Borough Council for agreement with Officers. For completeness, both draft Transport Statements of Common Ground form part of the appeal submission.

1.11 The following matters are considered within the draft Planning SoCG:

- 1 Site and Surroundings;
- 2 Appeal Proposal and Planning History;
- 3 Planning Policy;
- 4 Planning Considerations;
- 5 Agreed Planning Conditions;
- 6 Offsite Transport Works; and
- 7 Areas Not Agreed.

1.12 The following matters are addressed within the draft Transport Statements of Common Ground:

- 1 Sustainable Location
- 2 Connectivity and Accessibility
- 3 Traffic Convenience
- 4 Highway Safety
- 5 Traffic Calming Benefits

1.13 It is the Appellant's intention to work with Officers to agree the SoCG with a finalised version to be submitted in due course and in advance of the Inquiry.

Scope of Statement of Case

1.14 This Statement comprises the following sections:

- Section 2.0 sets out the key background information and context to the appeal;
- Section 3.0 provides details of the appeal proposal;

- Section 4.0 summarises the planning policy context;
- Section 5.0 sets out the Council's reason for refusal;
- Section 6.0 presents the case for the Appellant
- Section 7.0 summarises the Appellant's position on points raised by Third Party representations;
- Section 8.0 outlines the proposed set of draft conditions;
- Section 9.0 sets out the Appellant's overall conclusions and planning balance.
- Section 10.0 outlines the reasons why this appeal should be dealt with via the Inquiry route

1.15 This SoC provides the Appellant's case as to why the appeal should be allowed and full planning permission granted for the development, in accordance with the Officer's Report considered by the Council's Planning Committee on 9th October 2025 and 6th November 2025.

1.16 The SoC concludes that the development complies with all relevant planning policies and there are no material considerations which indicate that planning permission should be refused.

1.17 In addition to the documents appended to this SoC, a list of Core Documents has been compiled which are referenced where appropriate within this SoC and set out in the schedule within Appendix 1. The Core Documents comprise the following:

- 1 Local Authority Boundaries prepared by SLR
- 2 Knowsley Public Reports Pack Planning Committee November
- 3 Knowsley Public Reports Pack Planning Committee October
- 4 Knowsley Planning Committee (06/11) Minutes
- 5 Knowsley Decision Notice (23/01037/OUT)
- 6 Transport Assessment Addendum (December 2024) prepared by SLR
- 7 Arboricultural Impact Assessment (July 2025) prepared by Urban Green
- 8 Technical Advice Note prepared by Cotswold Archaeology
- 9 Ecological Assessment (December 2024) prepared by Ecology Solutions
- 10 Biodiversity Net Gain Assessment prepared by Ecology Solutions
- 11 Active Travel England Planning Response (July 2023)
- 12 Halton Highways Final Comments (21ST August 2025)
- 13 Knowsley Highways Final Comments (26th September 2025)
- 14 Knowsley Core Strategy
- 15 Knowsley Unitary Development Plan
- 16 Joint Merseyside and Halton Waste Local Plan
- 17 Transport Assessment (May 2023) prepared by SLR

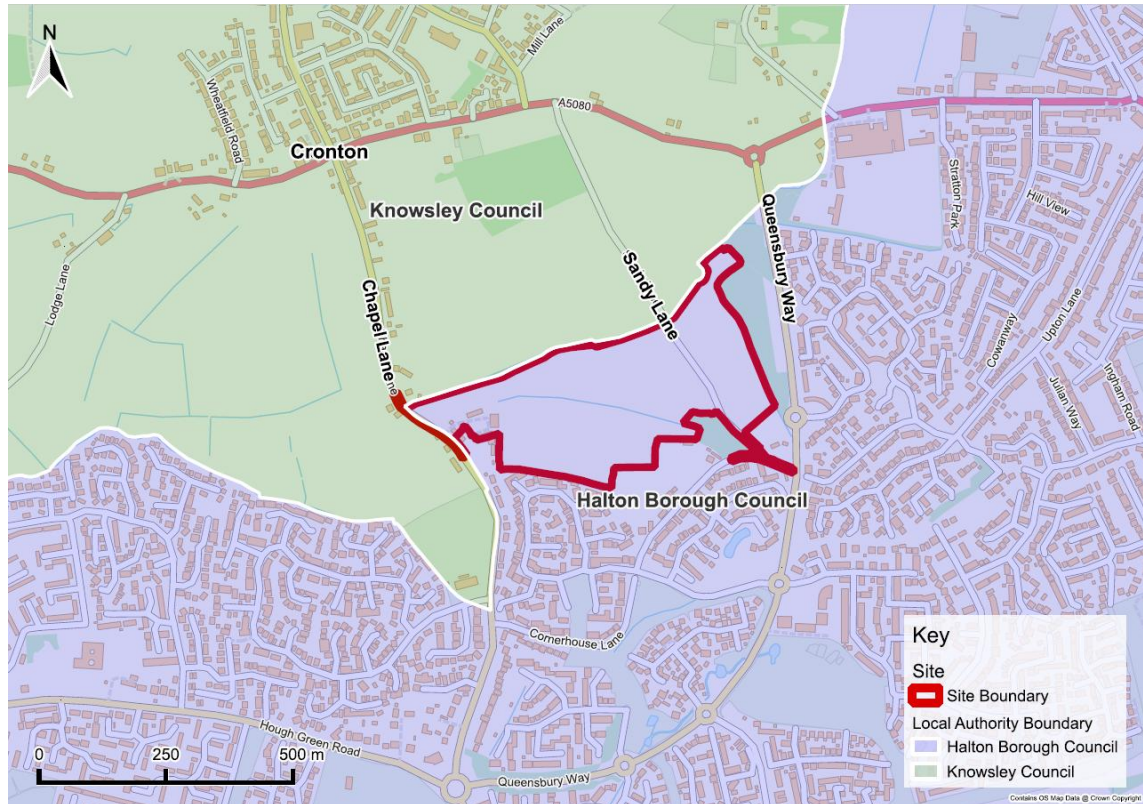
- 18 Travel Plan (May 2023) prepared by SLR
- 19 Chapel Lane, Widnes: Response to Halton BC and Knowsley Council (May 2025)
- 20 Knowsley Draft Planning Conditions

2.0 Key Background Information

- 2.1 The appeal site is located to the north-west of the Widnes urban area, predominantly within the Borough of Halton and on the boundary with Knowsley Council. The appeal is made with reference to the access onto Chapel Lane only, as the element of the application relating to land in Halton has a resolution to approve subject to a S.106 agreement been agreed. However, for the purposes of providing context to the appeal site, the development site as a whole (covering Halton and Knowsley's jurisdiction) is described below [the wider site].
- 2.2 The majority of the wider site (where the residential development is proposed) is located within the jurisdiction of Halton Borough Council. Only the main access and an emergency access onto Chapel Lane is located in Knowsley (0.21ha or 1.4% of the application site, based on a total site area of 14.92ha) (see CD 1).
- 2.3 The wider site has few notable features and comprises approximately 14 hectares (ha) of agricultural land in low intensity uses such as grazing and pasture. The wider site is not located within a Conservation Area and there are no listed buildings or scheduled ancient monuments within the wider site. Importantly, the land within Halton Borough Council was released from the Green Belt in its Local Plan (adopted in 2022) and allocated for residential development.
- 2.4 The wider site is bound to the:
- 1 North by Alder Brook which is marked by mature trees and a hedgerow. There is open countryside beyond the brook. Alder Brook forms part of the boundary between Knowsley and Halton's respective administrative area;
 - 2 East by an area of young self-seeded woodland situated adjacent to Queensbury Way;
 - 3 South by the curtilage of residential properties along Old Upton Lane; and,
 - 4 West by Chapel Lane and a group of modern and traditional farm buildings fronting onto Chapel Lane (Rose Farm).
- 2.5 The wider site is bisected by Sandy Lane from north to south, an adopted country lane which is now closed to vehicular traffic and is used as an amenity foot/cycle path. Sandy Lane is subject to a Traffic Regulation Order (TRO) that restricts any vehicles travelling along or across the carriageway with the exception of emergency vehicles and therefore is promoted as a traffic-free active travel link by both Knowsley and Halton as the route also straddles the boundary between the two administrative areas.
- 2.6 A Public Right of Way [PRoW] (W/16) runs east to west through the wider site, to the west of Sandy Lane, providing a connection to Chapel Lane. A further PRoW (W/12) to the north east of the wider site adjacent to the site boundary provides walking and cycling connections from the site to Queensbury Way. A ditch lined with intermittent trees and hedgerows runs alongside the path. There are also three ponds within the wider site.
- 2.7 The wider site is located within Flood Zone 1 and has a less than 1 in 1,000 annual probability of flooding. The wider site is not located within an AQMA.

- 2.8 The appeal site covers the extent of the Highway Boundary along Chapel Lane and access points. The plan below illustrates the extent of the site within Knowsley and Halton's jurisdiction respectively.

Figure 1 Local Planning Authority Boundaries



Source: SLR

- 2.9 The land on Chapel Lane itself contained within the appeal red line, where the access proposals are located, is located within the Green Belt. All land within Knowsley's boundary to the north and west of the site is washed over Green Belt. Green Belt considerations have not been identified as a potential issue by Knowsley Council at any point during the determination of the application. In any event, facilitating the delivery of this strategic allocation is considered to represent Very Special Circumstances that would clearly outweigh the limited harm to the Green Belt.

Wider Site Surroundings and Context

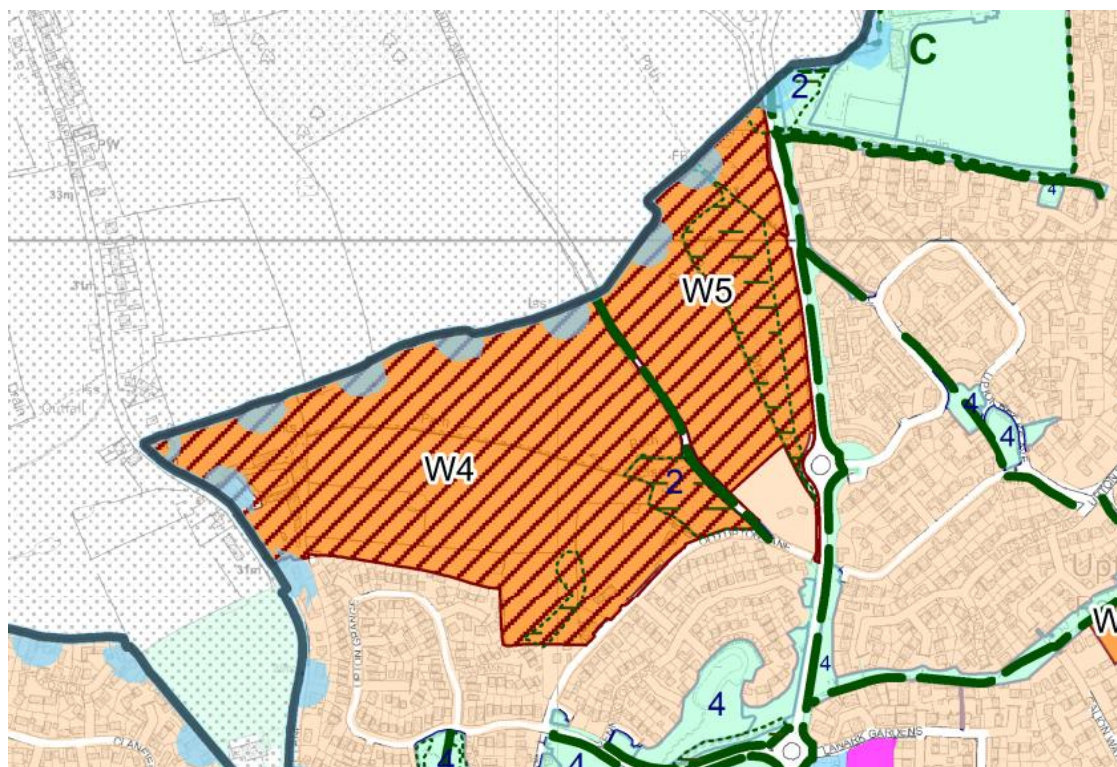
- 2.10 The wider site is situated on the northern edge of Widnes some 3km from the town centre. It lies to the north of Upton Grange, between Chapel Lane and Queensbury Way.
- 2.11 There are existing residential properties to the south, west and east of the wider site, and any proposed housing development will therefore reflect the size and scale of existing dwellings in the surrounding area. With particular regard to the extent of the appeal site along Chapel Lane, residential properties lie adjacent to the site along the western side of Chapel Lane including the Grade II listed 'Redmyre' [List Entry Number: 1261887].

- 2.12 The surrounding environs and wider landscape are protected by a number of Local Wildlife Sites, one of which (Alder Brook) partly lies along the northern boundary of the wider site. There are no landscape designations within proximity to the wider site.

Residential Development Allocation

- 2.13 The Halton Delivery and Allocations Local Plan was adopted in 2022. It identified a number of sites to be released from the Green Belt to meet identified housing needs. As set out in further detail at Section 4.0, policy RD1 of Halton's Delivery and Allocations Local Plan [DALP] allocated sites W4 and W5 for residential development of up to 432 dwellings. The wider site is comprised in those allocations and is allocated for residential development to meet Halton's housing needs.

Figure 2.1 Halton DALP residential allocations W4 & W5



Source: Halton Borough Council Policies Map

- 2.14 DALP Policy RD1 provides as follows:
- 1 *For the avoidance of doubt, the housing sites allocated in this plan are not granted Permission in Principle.*
 - 2 *The following Strategic Housing Locations and the Residential Allocations, as identified on the Policies Map, will assist in the delivery of the requirements set out in Policy CS(R)3.*
 - 3 *Residential development on Green Belt sites, or former Green Belt sites allocated in this Plan, (GBM notation) will need to provide appropriate mitigation for the loss of Green Belt land in line with NPPF requirements.*
- 2.15 The requirements of DALP Policy CS(R)3 relates to housing mix and density only.

- 2.16 The supporting policy text for DALP Policy RD1 states *'It should be noted that whilst an allocation establishes the principle of a particular land use, sites will still have to be subject to a detailed planning application. Planning applications on allocated sites will be assessed against the policies in this document, any saved development plan policies and other material planning considerations.'* [Paragraph 9.4]
- 2.17 Policy RD1 does not contain any specific requirements with regard to vehicular and pedestrian access points to sites W4 and W5.

Planning History

- 2.18 A review of the Council's online planning register indicates that there have been a number of historic applications on the wider site between March 1993 and October 2000. However, they are not considered relevant to the proposed application. The most relevant aspect of the planning history is the decision by Halton Borough Council to approve the outline application submitted within its administrative area subject to agreeing a S.106. The Officer's Report for the Halton outline planning application and a suite of consultee comments are provided as core documents. The full planning history is provided at table 2.1 below:

Table 2.1 Planning History at the wider site

Application ref.	Description of Development	Decision
00/00504/OUT	Proposed erection of replacement dwellinghouse at Site of Former Cottage Farm 161 Upton Lane Widnes Cheshire	Approved 09 October 2000
00/00730/OUT	Outline application for one detached dwelling at Land Adjacent To 161 Upton Lane Widnes Cheshire	Approved 23 January 2001
09/00068/AGR	Prior notification of agricultural development consisting of erection of agricultural storage building at Rose Farm 28 Chapel Lane Widnes Cheshire WA8 4NX	Decision issued 16 March 2009
99/00319/FU	Proposed construction of Upton Rocks Distributor Road and associated works on Land Between Queensbury Way and Cronton Lane Widnes Cheshire	Approved 14 September 1999
93/00111/AGR	Prior notification of agricultural development consisting of the construction of a barn at Rose Farm 28 Chapel Lane Widnes Cheshire WA8 9NX	Decision Issued 05 March 1993
23/00244/OUT	Outline planning application (with all matters other than access reserved) for the development of up to 350	01/09/2025 Resolution to grant subject to S.106 Agreement

Application ref.	Description of Development	Decision
	dwellings, public open space, landscaping and associated infrastructure works. Full details for site access arrangements via a new junction onto Chapel Lane following the demolition of Rose Farm bungalow and new emergency access on Chapel Lane (to be determined by Knowsley Borough Council only) and a secondary emergency access via Sandy Lane (to be determined by Halton Borough Council). All other matters are to be determined by Halton Borough Council only at Land At Chapel Lane Widnes Cheshire	

Source: Halton Borough Council

3.0 **The Appeal Proposal**

- 3.1 The duplicate applications submitted to Knowsley Council and Halton Borough Council sought permission for the following development:

'Outline planning application (with all matters 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)'

- 3.2 A schedule of drawings and documents provided with the planning application and in respect of its subsequent revisions are set out in the list of Core Documents.
- 3.3 It is important at the outset to be clear that the proposed development requires a cross-boundary permission with only the access arrangements from Chapel Lane being determined by Knowsley Council. This approach was discussed and agreed with both Councils at the outset. Planning and Highway Officers from both Councils have been party to the majority of meetings (held jointly) and discussions on the application during the determination process, working collaboratively with the applicant throughout.
- 3.4 Halton has already approved the residential element of this permission including the emergency access point from Sandy Lane and the application subject to this appeal is only the reserved matter relating to details of access, in particular the access arrangements (and emergency access proposals) from Chapel Lane for the site.
- 3.5 The overall intention of the wider development proposals is to deliver a high-quality residential development on this allocated site. The scheme has the ability to deliver up to 350 new homes and a policy compliant level of affordable housing. The homes will be of a very high quality and follow the principles and parameters established through the outline application including the provision of ample amounts of onsite open space and play provision, together with onsite Biodiversity Net Gain. The site is in a very sustainable location with easy and convenient access to a range of services and facilities via a variety of non-car modes of transport.

Proposed Access Strategy

- 3.6 The proposed access strategy for the development includes the provision of multiple access points to make this a permeable and well-connected development. Four of the proposed accesses are predominantly for active travel. One of these is for all modes, including vehicles and is onto Chapel Lane to the west of the development. The proposed vehicular access on Chapel Lane (within Knowsley Council's administrative area) has been designed with a carriageway width of 6.3 metres, with a shared footway / cycleway to the south and a footway to the north.
- 3.7 The proposed Chapel Lane access has been shown to work comfortably within its capacity with the forecast traffic flows, and meets current design standards in terms of width, radii, swept path movements and junction visibilities. Swept path analysis for refuse vehicles has been provided which show that a large vehicle can access and egress the site in a safe way.

- 3.8 The primary access incorporates a priority junction which has been designed to serve the development with appropriate visibility splays in line with recorded 85th percentile vehicle speeds. Measured visibility splays of 2.4 m × 54 m to the south (based on northbound speeds) and 2.4 m × 51 m to the north (based on southbound speeds) have been demonstrated for the primary access, greater than the requirement under Manual for Streets for a route with a posted 30mph speed limit.
- 3.9 In addition to this primary access, two further emergency vehicle accesses are proposed: one onto Sandy Lane, within the centre of the development (Halton's jurisdiction) and one onto Chapel Lane to the west, and north of the primary access (Knowsley's jurisdiction). The Chapel Lane emergency vehicles access has been designed to allow use by general vehicular traffic in the event of emergencies.
- 3.10 The proposed site access plans show that a visibility of 50.8m is achievable for vehicles waiting to turn right into both the primary access and the emergency access to an oncoming vehicle, which is consistent with the requirement for the observed 85th percentile vehicle speeds.
- 3.11 Both accesses have been designed in collaboration with Officers at Knowsley Council and Halton Borough Council.
- 3.12 Both the primary access and the emergency access on Chapel Lane have been subject to an independent Stage 1 Road Safety Audit (CD 6, Appendix M). The Audits did not raise any significant safety issues. The resulting final designs take account of the comments in the Road Safety Audit and final comments from Officers at Knowsley Council.
- 3.13 The primary access also incorporates provision for pedestrians and cyclists in the form of a footway on the northern side of the proposed access road and a shared footway / cycleway on the southern side of the access road. Provision has been incorporated within the design to enable cyclists to leave / rejoin the carriageway when entering / leaving the site, as shown on Drawing 216175_PD100 Revision G.
- 3.14 Everyday use of the Chapel Lane emergency access by vehicles would be prevented by removable bollards which would allow it to be available for use by pedestrians and cyclists when it is not being used as an emergency access. A footway has also been provided on the northern side of the emergency access, to enable a degree of segregation for pedestrians in the event that vehicles are using the emergency access.
- 3.15 Additional pedestrian and cycle connections to Chapel Lane, Sandy Lane and Queensbury Way via PROW W/16 are also provided to ensure permeability through the site, ensuring active travel users have a choice of routes to access the surrounding networks and to provide ease of access to surrounding key facilities.
- 3.16 To facilitate the primary access and emergency access on Chapel Lane, a degree of hedgerow removal is required. The trees and hedgerows have been surveyed as part of the Arboricultural Impact Assessment [AIA] (July 2025) prepared by Urban Green which surveys the accesses along Chapel Lane (CD 7).
- 3.17 The access points on Chapel Lane requires the removal of a section of Hedgerow H4 (67 metres) as identified in the AIA (dwg no. UG_1554_ARB_TRP_01) within Knowsley's

jurisdiction where the emergency access point will be. Hedgerow H4 is assessed as BS 5837:2012 'Moderate Quality' Retention Category 'B'.

- 3.18 This has been assessed from an ecological and heritage perspective and confirmed that the removal is acceptable. There is no reason for refusal relating to ecological or heritage impacts.
- 3.19 A Technical Advice Note (September 2023) prepared by Cotswold Archaeology (CD 8) states that the eastern and western hedges along Chapel Lane are identified as 'historically important' under the 1997 regulations. The value of the hedgerow system is 'low', as it is of post-medieval date. The proposed development largely retains the 'important' hedgerows within the wider masterplan and this emphasis on retention retains the overall intelligibility of the hedgerow pattern.
- 3.20 The small amounts of removal required by the proposed development to facilitate the emergency access does not impact the ability to understand the previous landscape character. The Note concludes that the proposed development will not result in harm to the overall heritage significance of the 'important' hedgerow system within the wider site. The work undertaken by Ecology Solutions confirms there are no ecological constraints with regard to the hedgerow along Chapel Lane (identified as H1 in their accompanying reports CD 9). The proposed removal of hedgerow will be compensated for through additional planting which has shown to indicatively demonstrate a measurable net gain as outlined in the Ecology Solutions Biodiversity Net Gain Report (CD 10).

Proposed Traffic Calming Scheme and Off-Site Active Travel Improvements

- 3.21 A package of off-site active travel improvements was submitted to both Councils during determination of the outline applications. The purpose of these off-site active travel improvements is to increase the attractiveness of active travel modes for current and future residents to and from the site. The submission and approval of off-site improvements will be secured by conditions on the planning permissions. Within Knowsley's jurisdiction, the following active travel measures are proposed:
- A Traffic Calming scheme on Chapel Lane (which has been designed to reduce average vehicle speeds on Chapel Lane and reduce the incidence of very high speeding on Chapel Lane to improve the environment for pedestrians and cyclists using the route);
 - Upgrades to the Public Right of Way crossing points to improve attractive and convenient pedestrian passage over Chapel Lane;
 - A lighting scheme and associated signage and localised widening where necessary along Sandy Lane to improve its continued use as an important and attractive active travel corridor; and,
 - A signalised pedestrian crossing on Cronton Road near Hall Lane, together with associated footway improvements to improve the attractiveness and quality of the active travel route between Sandy Lane and Cronton Village.
- 3.22 Within Halton's jurisdiction the following active travel measures are proposed:
- An enhanced package of cycle infrastructure works on Chapel Lane / Prescott Road;

- A toucan crossing on Queensbury Way;
- An uncontrolled crossing on Chapel Lane, close to the Parklands junction;
- A signalised pedestrian crossing on Queensbury Way; and,
- A contribution to Halton's Sustainable Travel Fund to support active travel initiatives in the wider area.

3.23 The illustrative masterplan has also futureproofed the wider site's ability to facilitate bus connections through the site in the future if required and at the request of Halton Council. It has also future proofed active travel accessibility to neighbouring areas as shown on the indicative masterplan.

3.24 ATE's original comments on the scheme acknowledged the strong potential the proposals could have to encouraging active travel which is reflective of the sustainable location of the site (CD 11). In light of these comments, the Appellant prepared a package of off-site active travel measures to further encourage future residents to travel by active travel modes and reduce reliance on the car. The proposed offsite active travel improvements will build on the already excellent active travel character of the local area to maximise the use of sustainable modes of transport for new residents and encourage a modal shift to more sustainable modes of transport in existing residents. They will make the use of Chapel Lane, and the connection from Cronton to Widnes via Sandy Lane more attractive to pedestrians and cyclists. In addition, the comprehensive traffic calming scheme proposed along Chapel Lane will assist in improving the environment by reducing existing vehicle speeds, a number of which have been observed to travel above the current 30mph speed limit.

Off-Site Traffic Impacts

3.25 The Transport Assessment (TA) and Transport Assessment Addendum (TAA) submitted with the application included a comprehensive assessment of the impact of the development-generated traffic impacts and highway safety across the surrounding road network.

3.26 The assessment included detailed consideration of the impacts of the development-generated traffic upon a study area agreed with Knowsley and Halton as part of pre-application scoping discussions. This study area extended from Cronton Road / Chapel Lane and Cronton Road / Queensbury Way to the north of the site - within Knowsley's jurisdiction - to Liverpool Road / Hale Road / Prescott Road to the south of the site - within Halton's jurisdiction.

3.27 The TA concluded that the impact of the proposed development had been demonstrated to be minimal, with mostly imperceptible increases in delay and queuing at surrounding existing junctions.

3.28 The assessment also demonstrated that the proposed site access junction onto Chapel Lane would work well within its capacity, and will have a minimal impact upon the operation of Chapel Lane.

3.29 The assessment concluded that the effect of the development in terms of highway capacity would not be significant, and certainly not severe (having regard to paragraph 116 of the

NPPF). Both Halton and Knowsley's highway teams confirmed that the assessment undertaken was robust, in their respective highways' consultation responses (CD 12 and 13).

- 3.30 The assessment also concluded that there were no specific highway safety issues within the vicinity of the site that would be exacerbated by the development proposals and demonstrated that the proposed development could be safely and suitably accessed by all modes of travel. Further details on the highway safety aspects of the proposals are set out in Section 5 below.

4.0 **Planning Policy Context**

4.1 Section 70(2) of the Town and Country Planning Act 1990 [the 1990 Act] and 38(6) of the Planning and Compulsory Purchase Act 2004 [the 2004 Act] require that the planning application be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

4.2 This section of the Statement focusses on the policies that are of relevance to this appeal and any wider planning policy and guidance that represents material considerations.

Development Plan

4.3 The adopted Development Plan for Knowsley comprises:

- Knowsley Local Plan Core Strategy (2016) (CD 14)
- Saved policies from the Knowsley Unitary Development Plan (2009) (CD 15)
- Merseyside and Halton Joint Waste Local Plan (2013) (CD 16)

4.4 The relevant policies from the Development Plan for this appeal are as follows:

Core Strategy

- Policy SD1: Sustainable Development
- Policy CS2: Development Principles
- Policy CS7: Transport Networks
- Policy CS8: Green Infrastructure
- Policy CS19: Design Quality and Accessibility in New Development
- Policy CS20: Managing the Borough's Historic Environment
- Policy CS21: Greenspace and Trees
- Policy CS27: Planning and Paying for New Infrastructure

Unitary Development Plan

- Policy T5: Location of Major Traffic Generating New Development
- Policy T7: New Development and Walking and Cycling Routes
- Policy T8: Transport Assessments
- Policy T9: Travel Plans
- Policy T10: Access for the less mobile
- Policy DQ4: Trees and Development

4.5 There are not considered any to be any policies pertinent to the appeal in the Merseyside and Halton Joint Waste Local Plan.

4.6 The only Development Plan policies referred to in the Council's reason for refusal are policies CS2, CS7 and CS19 of the Core Strategy.

- 4.7 Core Strategy Policy CS2 (Development Principles) states new development in Knowsley will be expected to support 5 development principles related to economic development, climate change, reducing the need to travel, the environment and making efficient use of resources.
- 4.8 With regard to Highways matters, Principle 3, seeks to reduce the need to travel and increase accessibility. This principle is sought to be achieved through the following means:
- a *“Selecting locations that reduce the need to travel, especially by car, and enable people as far as possible to meet their needs locally;*
 - b *Assisting the Council in achieving a shift towards more sustainable modes of transport for people, goods and freight;*
 - c *Encouraging safe and sustainable access for all, particularly by promoting the use of public transport, walking and cycling between homes and employment; and (my emphasis).*
 - d *Supporting the provision and retention of shared space, community facilities and other local services (such as local shops, health facilities, education provision, meeting places, sports venues, cultural buildings, public houses and places of worship).”*
- 4.9 It appears that only part (c) of policy CS2 could be relevant to the Council’s reason for refusal. The Appellant’s intention is to seek agreement on this with the Council through the SoCG.
- 4.10 It is not clear how Core Strategy Policy CS7 (Transport Networks) is said to be relevant to the Council’s reason for refusal. Part (2) of CS7 provides that new development will be required to achieve certain things, but none relate to highway safety. For completeness, Policy CS7 Part 2 is set out in full below (but subject to the reservation expressed above that it does not appear to set any policy standards in respect of highway safety):
- New development will be required to be:
- a *“Located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles. Where deficiencies are identified, developer contributions will be required to improve the accessibility of the location;*
 - b *Located and designed to ensure that larger scale proposals (attracting a lot of visitors, customers and/or employees) are located in the most accessible locations;*
 - c *Where subject to a planning application, accompanied (except in the case of smaller scale proposals) by Transport Assessments and/or Travel Plans;*
 - d *In compliance with adopted cycle, car, disables and service vehicle parking standards for different types and scales of new development;*
 - e *Inclusive of measures that will mitigate carbon emissions and improve air quality where appropriate; and*
 - f *Consistent with safeguarding arrangements that secure the operational integrity and safety of Liverpool John Lennon Airport.”*

- 4.11 Core Strategy Policy CS19 (Design Quality and Accessibility in New Development) states that to enhance the local distinctiveness, identity and accessibility of places, new development within Knowsley will be expected to (in so far as relevant to the Council's reason for refusal, to be agreed through the SoCG):

“Provide safe, secure and convenient routes for movement (including signage), with priority for walking, cycling and public transport, to meet the access needs of all users, particularly pedestrians, cyclists, less mobile people and the elderly”.

Material Considerations

Halton Delivery and Allocations Local Plan

- 4.12 In light of the cross-boundary nature of the applications, policies of the Halton Local Plan are also material considerations in the determination of this appeal.
- 4.13 Halton's Development Plan comprises the Halton Delivery and Allocations Local Plan [DALP] which was adopted in March 2022 and sets out the long-term spatial vision, strategic priorities and policies for future development in Halton to 2037.
- 4.14 The development site within Halton's jurisdiction forms the majority of two residential allocations (Policy RD1) within the DALP for the collective delivery of up to 432 dwellings.
- 4.15 Policy RD1 [Residential Development Allocations] identifies sites for residential development to meet the needs over the plan period and the identified requirement for new housing.
- 4.16 Other relevant Halton DALP policies to this appeal are:
- Policy CS[R]1: Halton's Spatial Strategy
 - Policy CS[R]3: Housing Supply and Locational Priorities
 - Policy CS[R]15: Sustainable Transport
 - Policy CS[R]20: Natural and Historic Environment
 - Policy CS[R]21: Green Infrastructure
 - Policy C1: Transport Network and Accessibility
 - Policy HE1: Natural Environment and Nature Conservation
 - Policy HE4: Greenspace and Green Infrastructure
 - Policy HE5: Trees and Landscaping

National Planning Policy Framework

- 4.17 The National Planning Policy Framework (NPPF updated February 2025) sets out the Government's planning policies for England, which underpin both plan-making and decision-taking.
- 4.18 The overarching aim of the NPPF is to deliver sustainable development to support the Government's economic growth objectives. NPPF Sections 8 and 9 set out the three overarching dimensions to achieving sustainable development: economic, social and

environmental. These dimensions are interdependent and need to be pursued in mutually supportive ways.

4.19 NPPF Section 11 establishes a presumption in favour of sustainable development.

4.20 The policies considered to be most relevant to the proposed development are set out below:

- 1 Promoting health and safe communities (Chapter 8.o);
 - a Planning policies and decisions should aim to achieve healthy, inclusive and safe places [§96].
- 2 Promoting Sustainable Transport (Chapter 9.o);
 - a Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places [§109].
 - b In assessing sites that may be allocated for development in plans, or specific applications for development it should be ensured that:
 - i sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
 - ii safe and suitable access to the site can be achieved for all users;
 - iii the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - iv any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach [§115].
 - c Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios [§116].
 - d Within this context, applications for development should:
 - i give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - ii address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - iii create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - iv allow for the efficient delivery of goods, and access by service and emergency vehicles; and

- v be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations [§117].
- 3 All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored [§118].
- 4 Achieving well-designed places (Chapter 12.0);
 - a Planning policies and decisions should ensure that developments that create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future uses [§135].

National Planning Policy Framework Consultation

- 4.21 The government has recently undertaken a consultation on a revised draft of the NPPF (the consultation closed on 10th March 2026). Limited weight can be afforded to the draft NPPF at this early stage, but it does set out Government's intentions in terms of a direction of travel.

Supplementary Planning Documents

Ensuring a Choice of Travel SPD

- 4.22 The Ensuring a Choice of Travel SPD was adopted by Knowsley Council in September 2010 and is intended to provide further guidance on the Council's Transport Policies. The main objective of the SPD is to ensure a good choice of travel modes to all new developments in Knowsley. It should be noted that this SPD predates the adoption of the Core Strategy in 2016.
- 4.23 The SPD states that with regard to developer contributions, the level of financial contribution sought, and scale / proximity of transport improvements required, will relate to the scale of the development proposed. The Council's decision notice does not allege any conflict with the Ensuring a Choice of Travel SPD.

Design Quality in New Development SPD

- 4.24 The Design Quality in New Development Supplementary Planning Document identifies the overarching context for design in the Borough and highlights Borough-wide issues which should be taken into account in designing new development.
- 4.25 The SPD sets out General Principles including a 'Movement Framework'. The supporting text to the 'Movement Framework' states that the design of all new development should:
- “Encourage safe and sustainable access for all, through design of buildings and by ensuring that footpaths and cycle paths are designed to encourage frequent use by all, following true desire lines and primary routes, avoiding segregation of different users, providing links to public transport stops, being free of barriers and hiding places with appropriate surfacing, surveillance, signage and landscaping.”

- 4.26 The Council's decision notice does not allege any conflict with the Design Quality in New Development SPD.

Developer Contributions SPD

- 4.27 The Developer Contributions SPD was adopted by Knowsley Council in June 2016 and sets out the way in which the Council will implement its approach to development contributions, sought as part of new development. With regard to highways and transport provision, the Council states that they use S38 and S278 agreements where necessary and appropriate for on- and off-site highways works to deliver the development and maintain public safety. In some instances, S106 agreements are used.
- 4.28 The SPD states there is no standard calculation formula for development contributions relating to highways, as the cost of any potential contributions are informed by the site-specific nature of the project(s) and any mitigation necessary to make the development acceptable.

5.0 **The Reasons for Refusal**

5.1 Knowsley Council's Planning Committee provided a single reason for refusal:

"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".

5.2 The Appellant contends that the reason for refusal is unfounded and the Appellant has demonstrated through their comprehensive application that the development does not have an unacceptable impact on highway safety.

6.0 The Case on behalf of the Appellant

- 6.1 This Appeal is lodged against Knowsley Council's Refusal of the Appellant's access proposals into the Chapel Lane. The access is required to facilitate the delivery of up to 350 new homes on land that has been released from the Green Belt and allocated for residential development in Halton Borough Council's administrative area.
- 6.2 The application for the majority of the development has been approved by Halton Borough Council. As such, this appeal relates solely to the two access points proposed on Chapel Lane, within Knowsley Council's administrative area.
- 6.3 The application was refused for a single reason relating to highway safety. It is important to note that the Appellant engaged extensively with highway officers at Halton and Knowsley Councils both prior to and during the application process. Highway and planning officers at both authorities were satisfied that there were no highway-related reasons for refusing the application and offered no objection, subject to appropriate conditions and obligations. In particular, they concluded that the development and access arrangements would not give rise to any unacceptable safety impacts.
- 6.4 As such, Knowsley Council's refusal of permission on highway safety grounds is entirely unsupported by technical analysis or expert highway opinion.
- 6.5 In that context, the Inspector will have to determine whether refusal of permission is justified on the grounds of highway safety. Absent any technical support for the single refusal reason, the Appellant considers that the refusal of permission on that basis was unreasonable.

Impact of the proposed development on highway safety

- 6.6 The planning applications were accompanied by a Transport Assessment (CD 17); Travel Plan (CD 18); Transport Assessment Addendum (CD 6) and various technical notes (e.g. CD 19). All technical work found that the development would not give rise to any unacceptable impacts on highway safety.
- 6.7 The scope of the Transport Assessment was discussed and agreed with highway and planning officers at Knowsley Council and Halton Borough Council. Access arrangements were also discussed extensively with both local authorities through the pre-application process. At a pre-application meeting of 4th November 2022, planning and highway officers at Knowsley Council confirmed that they were content with the proposal to provide access from Chapel Lane.
- 6.8 Following submission of the TA, numerous meetings were held with both Knowsley Council and Halton Borough Council to discuss the transport details of the proposed development. The access strategy responded positively to changes in the masterplan and the development layout in the vicinity of Chapel Lane, as summarised below:
- TW acquired further land on the Chapel Lane frontage which enabled a number of changes to the masterplan.
 - Dwellings can be accommodated on land to the north of the relocated access that provides improved frontage and natural surveillance.

- From a highways perspective, the extended site frontage along Chapel Lane provides the opportunity to incorporate a separate Emergency Vehicle Access (EVA) suitable for use by pedestrians and cyclists in addition to the primary all-modes access, responding to comments received from Knowsley Council and Halton Borough Council.
- The form of the primary access was changed to that of a simple T-junction (removing the right turn ghost island), in response to comments received from Active Travel England regarding the need to enhance provision for cyclists entering and leaving the site.
- The delivery of the pedestrian / cyclist / EVA access to the north of the primary access provides a separate access for active travel users, away from manoeuvring vehicles, allowing ease of access and egress to and from the site, particularly when travelling to and from the north along Chapel Lane.

6.9 Throughout the post-submission period, a series of online meetings and in person meetings were held with both LHA's. A TA Addendum (TAA) (CD 6) dated 20th December 2024 addressed various transport and highway matters that had been raised in response to the application and also presented the updated access strategy.

6.10 The updated primary junction arrangement, which is the subject of the current appeal is included within the TAA, drawing ref 216175-PD100-C (CD 6) (subsequently updated to drawing ref 216175-PD100-F (see CD 19 for explanatory text on revision F). This access drawing has since been updated to revision G, to include an updated topographical survey on the base of the drawing and submitted with this appeal. No further changes to the access drawing have been made. An updated stage 1 Road Safety Audit (RSA) (CD 6, Appendix M) was conducted on Rev C, based on the revised layout, dated 8th October 2024, concluded that the primary access and emergency access arrangements are safe and fit for purpose to serve the development.

6.11 Halton Borough Council's highway team confirmed in their final comments on the application (dated 21st August 2025) (CD 12) that: *"The access proposals...are considered acceptable, after much positive collaboration, not only with the applicant and their representatives, but also with Knowsley MBC Highways and Planning officers."*

6.12 Halton Highways Authority offered no objection to the development, subject to appropriate conditions and contributions. In summary, their comments (CD 12) confirm:

- 1 The Transport Assessment, Travel Plan and Transport Assessment Addendum and Technical Notes provided robust modelling and junction/capacity assessments as well as appropriate trip distribution and assignment.
- 2 No significant queueing or congestion at the access on Chapel Lane nor on the signalised junction to the north on Chapel Lane with Cronton Road (A5080), nor at the roundabout junction to the south with Prescott Road, Queensbury Way and Hough Green Road.
- 3 The off-site works, to be secured via conditions and contributions, further mitigate the impact of the development.
- 4 The access proposals are considered acceptable.
- 5 Prescribed visibility splays would be achieved on both accesses on Chapel Lane.

- 6 The proposals would result in improvements to the environment for active travel modes on Chapel Lane.
- 7 Off-site highways works will improve the site's sustainability, encourage modal shift and mitigate the effects of additional traffic.
- 8 No unacceptable highway safety impact is considered resultant from the proposal, nor detrimental cumulative impact.
- 9 The proposal therefore satisfactorily meets Halton Borough Council Policies; C1: Transport Network and Accessibility. The development is considered to be in a sustainable location, with safe and suitable access achieved for all users; no detrimental residual cumulative impact on the road network; and no unacceptable safety impacts with the mitigation offered.
- 10 Halton Highways proposed a condition to prevent any development taking place until a scheme for the design and layout of highway improvement works had been submitted to and approved in writing by the Council, to include a traffic calming scheme on Chapel Lane; an uncontrolled crossing on Chapel Lane (near Parklands) and cycle infrastructure on Chapel Lane/Prescot Road.

6.13 Knowsley's Highways Team's comments on the application (CD 13) confirmed that it had no objection to the proposed development, subject to appropriate conditions and concluded as follows: *"Overall, the Highway Authority considers the proposed development acceptable in highway and transport terms, provided the mitigation measures and conditions outlined are implemented. The development is not expected to result in a severe impact on the local highway network, consistent with the NPPF. The Authority's position ensures that safety, operational requirements, and pedestrian/cyclist considerations are appropriately managed."* The Highways Team proposed a condition to prevent the occupation of any dwelling until a scheme of traffic calming measures for Chapel Lane had been submitted and approved by the local planning authority in consultation with the local highway authority.

6.14 The planning officer's report to Knowsley Council's October 2025 Planning Committee (CD 3) confirmed that Knowsley's highway authority also offered no objection to the proposed development, subject to the imposition of appropriate conditions. The report confirms that the highways team had reviewed the Transport Assessment and Transport Assessment Addendum and reached the following conclusions:

- 1 The proposed access design has been considered and is acceptable in principle (para 9.12).
- 2 Knowsley Council commissioned an independent speed survey which supported the Appellant's assessment (paras 9.16 – 9.17).
- 3 A comprehensive traffic calming scheme would ensure that vehicle speeds are reduced to 30mph and would include a raised table junction at the site access to reduce speeds and improve pedestrian visibility; gateway features and vertical/horizontal traffic calming measures along Chapel Lane; footway widening at identified pinch-points; cutting back overgrown vegetation; provision of cycle lanes or shared-use pathways where appropriate to promote sustainable travel; and upgrades to PROW crossing

points, where appropriate, to ensure safe and convenient pedestrian passage (para 9.19).

- 4 The proposed visibility splays are greater than the theoretical requirement under Manual for Streets 2 and are acceptable (para 9.20).
- 5 Subject to the implementation of a traffic calming scheme, the proposed development would not have an unacceptable impact on highway safety or result in cumulative effects which would have a severe impact on the road network. The proposed mitigation would also mean that pedestrians and cyclists who travel to and from the development would have adequate and safe transport links. The proposal would comply with Policies CS7, CS19, T7, T10 and H7 of the Local Plan Core Strategy and the relevant sections of the NPPF. (para 9.40)

6.15 During the determination period, extensive discussions also took place with National Highways [NH] and their consultants. The key locations of interest were Junction 6 (M62/M57) and Junction 7 (M62). In their final consultation response (CD 6, Appendix C), NH confirmed its satisfaction that the development would not give rise to any detrimental impact on the strategic highway network.

6.16 As agreed between the Appellant and highway and planning officers at Knowsley Council, the proposed development will be subject to a condition that prevents occupation of any dwelling until a scheme of traffic calming measures for Chapel Lane has been submitted to and approved by the local planning authority in consultation with the local highway authority. Planning and highway officers are satisfied that appropriate calming measures will reduce average speeds along Chapel Lane. While the final details will be subject to approval by Knowsley Council, the proposed measures have been subject to lengthy discussions with highway officers at both Knowsley and Halton Councils and an indicative scheme is included within the TAA, drawing ref 216175-PD102-B (CD 6).

6.17 In summary, there are no outstanding objections from Knowsley as local highway authority or from Knowsley's planning officers, Halton Borough Council, ATE or National Highways. None of the statutory consultees consider that the proposed development will give rise to any unacceptable safety impacts.

6.18 The technical design of the junctions on Chapel Lane, and the assessment of movement through these junctions have resulted from iterative engineering discussion and agreement between the Appellant and highways officers at Knowsley Council.

6.19 All relevant stakeholders have been consulted both prior to and throughout the application process. In light of the agreement that has been reached with the relevant statutory and technical consultees, the Appellant's position is that there is no reasonable basis on which to refuse the application on highway safety grounds. Insofar as they are relevant to the reason for refusal, the development plan policies cited by the Council (CS2, CS7 and CS19) require development proposals to encourage safe, suitable and secure access.

6.20 Paragraph 116 of the NPPF provides that "*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*". The reason for refusal does not allege residual cumulative impacts on the road network. Rather, it alleges unacceptable

safety impacts, but this allegation is unsupported by any of the highway or planning officers are Knowsley (or, indeed Halton) Council.

6.21 In those circumstances, the Appellant considers that the refusal of permission was unreasonable. The Planning Practice Guidance provides examples of unreasonable behaviour which include:

- 1 *Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.*
- 2 *Failing to produce evidence to substantiate each reason for refusal on appeal.*
- 3 *Vague, generalised or inaccurate assertions about a proposal's impacts, which are unsupported by any objective analysis.*
- 4 *Refusing planning permission on a planning ground capable of being dealt with by conditions...where it is concluded that suitable conditions would enable the proposed development to go ahead.*
- 5 *Not reviewing their case promptly following the lodging of an appeal against refusal of planning permission*

6.22 While members are entitled to disagree with their officers, it is incumbent on them to substantiate their reasons for refusal. Where the allegation relates to highway safety impacts, this calls for highways evidence to substantiate that allegation, which is wholly absent in the present case. The Council's reason for refusal is based on vague and inaccurate assertions about the impact of the development on highway safety. Any concerns about traffic speeds along Chapel Lane are capable of being resolved through an appropriate condition, such as the condition proposed by Knowsley's highway officers to which the Appellant has agreed. As such, permission should clearly have been granted and the Appellant invites the Council to review its case promptly following the lodging of this appeal and to confirm that it will not contest the appeal.

Conclusion

6.23 In light of the above, the proposed development will not give rise to any unacceptable impact on highway safety.

6.24 The Transport Assessment, Technical Notes and Addendum have not identified any unacceptable impact on highway safety. This is agreed by the highway authorities Knowsley Council and Halton Borough Council, and by National Highways and Active Travel England.

6.25 The Appellant intends to call evidence from its highway's consultant, SLR, to answer any technical questions which might be raised in respect of the proposed access arrangements and any highways safety matters. Given that Knowsley Council's highway experts were satisfied that the proposed access would not give rise to any unacceptable safety impacts, it is likely to be difficult for the Council to adduce technical evidence to substantiate its reason for refusal. As such, the Appellant is likely to make an application for costs against Knowsley Council.

7.0 Appellant's Case on Third Party Representation

7.1 In addition to the statutory consultee responses, a total of 291 objection responses were received from third parties. Most of the concerns raised by third party representations have been addressed in the Appellant's case on the reason for refusal and during the course of the determination of the application. None of the additional matters raised by third parties is considered by Knowsley Council to warrant refusal of permission. For completeness, the Appellant responds to the following additional matters raised by third parties:

- **Highway capacity** – Objectors and Cronton Parish Council raised concerns in relation to the ability of Chapel Lane to accommodate additional traffic generated by the proposed development. Objectors indicated that the highway experiences existing congestion and regular traffic jams. Cronton Parish Council also claim to have undertaken independent visual surveys during the morning and evening rush hour, the results of which in their opinion provide evidence of severe congestion but has not been provided to TW for review.

Taylor Wimpey undertook detailed analysis of the local highway infrastructure as part of their planning application including the submission of a Transport Assessment and Transport Assessment Addendum. Both documents were considered in detail by Halton and Knowsley's respective Highway Departments and neither Council considered that the proposed development would have a severe impact on highway capacity. As set out in the Planning Officer's Report for Knowsley, *'the development is considered acceptable in highway and transport terms, it would not have a severe impact on the operation of the network and would not result in unacceptable highway safety impacts (para.9.40)'*.

Pedestrian movements – Objectors raised concerns regarding pavement widths. Taylor Wimpey is proposing a comprehensive Traffic Calming Scheme to enhance the environment for pedestrians and cyclists and to reduce vehicle speeds on Chapel Lane. Footway widening at identified pinch points is also proposed through localised carriageway narrowing as well as cutting back overgrown vegetation to restore footway widths and maintain intervisibility between pedestrians, cyclists and drivers. It is also worth pointing out that the proposed development will also significantly enhance the pedestrian environment of Sandy Lane which will be an attractive, safe and lit environment for pedestrians and cyclists moving between Cronton and Upton Rocks. A relocated Public Right of Way along the north of the development will connect Sandy Lane to Chapel Lane through the site.

The development will have a positive effect on the character of the pedestrian environment, and make it more attractive for use by all residents, not just new residents from the development.

- **Heritage impact** – Some objectors also raised concerns regarding the impact of the proposed development on the architectural and historical prestige of nearby listed buildings.

A Historic Environment Assessment was submitted with the application. This was supplemented by a Heritage Addendum which focused on the impact of the proposed

development on 'Redmyre' the Grade II Listed Building which lies to the west of the site. Knowsley Council's Conservation Officer acknowledges that the access road into the development site may change the asset's wider setting, but given that there is no evidence of an historical relationship between the site and the asset, the contribution made by the site is limited only to the visual contribution it makes to its wider rural setting. The Conservation Officer concurs with the assessment of harm within the heritage addendum, that any harm is likely to be on the low end of less than substantial. Any minor harm is outweighed by the benefits of the proposed development, which would facilitate the delivery of much needed housing in Halton Borough Council's administrative area.

- **Infrastructure** – A number of objectors raised concerns in relation to local infrastructure and the increase in population would exacerbate existing issues. Issues were raised in relation to school capacity, medical provision, drainage and utilities and police provision.

The planning application was subject to a comprehensive consultation exercise with all relevant statutory consultees. The issues raised by third parties in respect of infrastructure capacity are anecdotal and unsupported by statutory consultees. In fact, a local dentist wrote a letter of support to the application.

- **Ecology and Environment** – Objectors raised concerns that the development would lead to the loss of Green Belt land as well a loss of trees and hedgerows which would have an adverse impact on wildlife in the area. The loss of agricultural land was also raised as a concern.

Taylor Wimpey provided a range of technical assessments to demonstrate that the proposed development would not have a significant effect on the local environment. The majority of the site is located in Halton and the Council were satisfied that the proposed residential development was acceptable. Merseyside Environmental Advisory Service also raised no objection to the proposed development subject to five conditions being imposed on the proposed development.

8.0 **Draft Conditions and Section 106 Agreement**

Planning Conditions

8.1 A series of planning conditions were proposed by the Council prior to the application being reported to Planning Committee (CD 20). The Appellant did not at the time have an opportunity to provide comment on the proposed conditions but, having reviewed the proposed conditions, the Appellant accepts the imposition of the proposed conditions, subject to a proposed amendment to draft condition 8 and altering a plan revision reference in Condition 7

8.2 As set out in the Planning SOCG, the Appellant's proposed amendments to draft condition 7 and 8 are as follows:

7 Emergency access details

Prior to the occupation of any dwelling **and in general accordance with Drawing 216175_PD100 Revision G**, full design details of the emergency access onto Chapel Lane shall be submitted to and approved in writing by the local planning authority. These shall include (but not be limited to):

Access geometry and surfacing materials;

Visibility splays, including forward visibility;

Bollard control mechanism (including location, type and emergency override system);

Extension of the footway from Chapel Lane into the site;

Swept path analysis for emergency vehicles.

Prior to the occupation of the 50th dwelling, the emergency access shall be constructed in full in accordance with the approved details and retained thereafter for emergency, pedestrian and cycle use only.

Reason: To ensure the emergency access is designed and delivered to a safe and functional standard, without compromising pedestrian or vehicular safety, in accordance with Policy CS19 (Sustainable and High-Quality Development) of the Knowsley Local Plan: Core Strategy (adopted January 2016).

8 Traffic Calming

No dwelling shall be occupied until the developer submits for approval a scheme of traffic calming measures for Chapel Lane, including a delivery programme. The design should include detailed designs for improvements to **access the** Public Rights of Way (PRoW), footway, signage, and cycle infrastructure along Chapel Lane **and Cronton Road**. The **traffic calming scheme improvements** shall include, but not be limited to:

Upgrades to the existing footways and crossing points at Chapel Lane and Cronton Road to ensure continuity and safety for pedestrians;

~~Cutting back of overgrown vegetation along Chapel Lane to restore footway width and maintain visibility splays;~~

~~Appropriate gateway features and vertical/horizontal measures~~

~~Installation and/or enhancement of signage to direct and inform users of the highway~~

~~Provision of cycle lanes or shared-use pathways where appropriate;~~

~~Installation and/or enhancement of signage to direct and inform users of the network;~~

~~Any other infrastructure necessary to support sustainable travel and improve accessibility;~~

~~Raised table junction at the access point;~~

~~Appropriate gateway features and vertical/horizontal measures;~~

Upgrades at the PRow crossing Chapel Lane;

The approved scheme of works shall be fully implemented in accordance with the agreed delivery programme and shall be maintained thereafter.

Reason: To promote highway safety by managing vehicle speeds and to ensure that the form and timing of measures are appropriate to local context and public feedback and to ensure that the development provides adequate, safe, and accessible infrastructure for pedestrians and cyclists, in accordance with the sustainable transport objectives set out in Policy CS3 (Sustainable Transport) and Policy CS15 (Transport Infrastructure) of the Knowsley Local Plan: Core Strategy (adopted January 2016).

Section 106 Agreement

- 8.3 A S.106 agreement has been agreed with Halton in relation to the delivery of the wider allocation. Knowsley Council is proposing to secure offsite highway improvements and mitigation through Condition 8 but equally Taylor Wimpey would be willing to enter into a legal agreement to facilitate their delivery similar to the approach being taken by Halton Council for consistency purposes if this was deemed more appropriate by an Inspector.

9.0 Conclusions and Planning Balance

- 9.1 The wider development proposals seek to bring forward a housing development on a site that has been released from the Green Belt and allocated for residential development in the Halton Local Plan. The vast majority of the proposed development is within Halton Borough Council's administrative boundary and has secured resolution to grant. The wider development proposes the delivery of up to 350 new homes, including policy compliant provision of affordable homes.
- 9.2 This appeal relates only to the access arrangements into the wider development site. The principal vehicular access and emergency access are proposed from Chapel Lane and are necessary to facilitate the delivery of the wider development and unlock the benefits that it will bring.
- 9.3 The appeal seeks full planning permission for site access arrangements via a new junction on Chapel Lane and an emergency access. Securing permission for the access proposals would facilitate the delivery of the soon to be approved planning permission on the wider allocation coming forward. As such, there are significant benefits associated arising from the appeal scheme being allowed.
- 9.4 The access proposals will enable the delivery of 350 homes through the majority of two allocations, which would ensure that Halton Council can achieve their spatial strategy vision of delivering at least 8,050 (net) additional dwellings (at an average of 350 dwellings each year) during their plan period (Halton DALP Policy CS(R)1, Policy CS(R)3 and Policy RD1). It will also facilitate the delivery of new public open space including high quality and multifunctional green infrastructure at the site that can be used by both Knowsley and Halton residents alike (Halton DALP Policy CS(R)21) and Policy HE4). The proposed access arrangement onto Chapel Lane has been carefully designed, including the provision of additional traffic calming measures on Chapel Lane to increase the attractiveness of active travel modes and promote healthy and safe communities (Knowsley Design Quality in New Development SPD and NPPF Chapter 8.0 and 9.0). The traffic calming measures have been discussed at length and agreed with officers at both Knowsley and Halton and their delivery would be secured via a planning condition (Knowsley Core Strategy Policy CS27 and Developer Contributions SPD).
- 9.5 The offsite improvements would encourage journeys to be made by sustainable modes of travel (walking and cycling) building upon the site's already sustainable location (Halton DALP Policy CS(R)15 and Knowsley UDP Policy T5 and Policy T7 and Knowsley Ensuring a Choice of Travel SPD). The proposed access arrangements have been supported by a Transport Assessment (along with subsequent addendums) and a Travel Plan (Knowsley UDP Policy T8 and T9 and NPPF Paragraph 118).
- 9.6 The Appellant has adduced robust technical evidence to demonstrate that the proposed development would not give rise to any unacceptable impacts on road safety. Those conclusions have been endorsed by the local and strategic highway authorities. As such, it is clear that the proposed development accords with Policy CS2, CS7 (to the extent that this policy is relevant to highway safety matters) and CS19 of the Knowsley Local Plan and with the development plan, read as a whole. There are no material considerations which indicate that permission should be refused (including Halton's Highways Policy C1) and

there is not considered to be any environmental considerations that would prevent the access being approved (Halton DALP Policy CS(R)20, DALP Policy HE1 and DALP Policy HE5 and Knowsley Core Strategy Policy CS8, Policy CS20 and Policy CS21 and Knowsley UDP Policy DQ4). Indeed, the NPPF is clear that development should only be refused on highway grounds if it would give rise to unacceptable impacts on highway safety. There is no technical evidence to suggest that the proposed access arrangements on Chapel Lane would give rise to unacceptable safety impacts.

- 9.7 In view of the above, the Appellant strongly considers that the development proposals accord with the Development Plan as a whole and should be allowed in accordance with paragraph 11c of the NPPF and as mirrored in Knowsley Core Strategy Policy SD1.
- 9.8 The proposed development would deliver a number of significant benefits, primarily by facilitating the delivery of an allocated site in the Halton Local Plan and providing a diverse housing offer to the current and future residents of north Widnes and beyond into Knowsley.
- 9.9 In addition to the improvements to active travel measures within and surrounding the site, the proposed development will deliver further environmental, social and economic benefits to the wider area.
- The proposed development will deliver biodiversity net gain on the site. A net gain in excess of 10% is currently achievable as demonstrated in the outline planning application submissions. Subject to detailed landscaping proposals submitted at reserved matters stage to Halton Borough Council, net gain will be the minimum delivered on site and Taylor Wimpey will endeavour to maximise the net gain throughout the site.
 - The proposals will deliver up to 350 new homes including 20% affordable housing provision forming a natural sustainable residential extension to Widnes. The proposed development will provide a suitable range of dwellings in various types, sizes and tenures to meet the needs of the local population and establish a mixed and sustainable community. The detailed housing mix will be agreed at reserved matters stage with Halton Borough Council.
 - These homes will be energy efficient and will incorporate 90% responsibly sourced materials in each dwelling. Extensive areas of Public Open Space across the site will provide opportunity for informal recreation and play and further support and enable healthy lifestyles for new and existing residents.
 - The proposed development will bring a number of economic benefits in terms of job creation and increased expenditure on the local economy. This includes but is not limited to:
 - (a) The creation of 104 temporary construction jobs;
 - (b) An estimated £16 million Annual Gross Value Added to be created during construction; and,
 - (c) An estimated £4.7 million net additional expenditure based on the total annual expenditure arising from new residents, of which a significant proportion could be retained locally.

- 9.10 These benefits demonstrate that the proposed development would contribute towards meeting the economic, social and environmental dimensions of sustainable development, as set out in the NPPF.
- 9.11 In the context of the above, this Statement sets out the Appellant's position that permission should be granted and the appeal allowed. The Appellant considers that this appeal should be dealt with through the inquiry procedure, for the reasons addressed below.

10.0 Reasons for Inquiry

10.1 The Appellant considers that this appeal should be determined by way of an inquiry.

10.2 The Planning Inspectorate's guidance on the criteria for determining planning appeals¹ recognises that an inquiry will be appropriate if:

- 1 There is a clearly explained need for the evidence to be tested through formal questioning by an advocate;
- 2 The issues are complex (for example where large amounts of highly technical data are likely to be provided in evidence);
- 3 The appeal has generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing.

10.3 In the present case, there is a clear need for the evidence to be tested through formal questioning. Given that the application was refused against the advice of the Council's planning and highway officers, its technical evidence is yet to be presented. Any evidence adduced by the Council will be new to the Appellant and it will need to be afforded the opportunity to properly interrogate and test the evidence through formal cross-examination. The main issues raised and which will need to be considered through the examination of technical evidence are:

- 1 Whether the proposed access would result in an unacceptable impact on highway safety; and
- 2 Whether, once any mitigation measures have been taken into account, any residual impacts are likely to result in an unacceptable impact on highway safety.

10.4 The issue raised by the Council's decision notice calls for technical highways evidence. The Appellant undertook a significant amount of technical work to underpin and support the planning application including undertaking speed surveys and preparing detailed junction designs along Chapel Lane to ensure a safe access is deliverable for vehicles, pedestrians and cyclists. As part of the determination process, the Council undertook their own speed surveys to validate the work undertaken by the Appellant. The appeal is further complicated by the cross-boundary nature of the application. While the outline application has a positive resolution to approve subject to a S.106 by Halton Borough Council, it cannot come forward without a positive determination of this appeal. As such, there is a prospect that Halton Borough Council may seek Rule 6 status in the appeal.

10.5 Furthermore, the planning application garnered significant local interest, particularly from residents along Chapel Lane and from Cronton Parish Council. In total, 291 objections and 17 letters of support were received in response to the publicity given to the Knowsley application. A number of residents on Chapel Lane and the Parish Council objected to the planning application at multiple stages during the determination process, attended the Member site visit ahead of the second Planning Committee and attended and spoke against the development at both Planning Committees. Given the level of significant public interest in the proposals and the potential for the formation of Rule 6 Party (potentially the Parish

¹ [Criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals - GOV.UK](https://www.gov.uk/guidance/criteria-for-determining-the-procedure-for-planning-enforcement-advertisement-and-discontinuance-notice-appeals)

Council or group of residents), an inquiry is considered to be the most appropriate mode of determination.

- 10.6 Overall, the reason for refusal calls for technical highways evidence that is likely to be complex and will require testing through formal questioning by an advocate. In the circumstances of this case, to determine the appeal by a different mode would give rise to a risk of an unfair and distorted process which would disadvantage the Appellant's ability to present its case.
- 10.7 It is estimated that at least two expert witnesses will be called by the Appellant, on the topics of highways and planning. We, therefore, request an inquiry procedure as we consider this would be the most appropriate route given the nature of the appeal. To this end, a draft Statement of Common Ground [SoCG] and draft Transport Statements of Common Ground [TSoCG] are submitted with the application in accordance with the inquiry procedures.

Appendix 1 Core Document Schedule

Table 10.1 Core Document Schedule

Core Document Number	Title
CD 1	Local Authority Boundaries prepared by SLR
CD 2	Knowsley Public Reports Pack Planning Committee November
CD 3	Knowsley Public Reports Pack Planning Committee October
CD 4	Knowsley Planning Committee (06/11) Minutes
CD 5	Knowsley Decision Notice (23/01037/OUT)
CD 6	Transport Assessment Addendum (December 2024) prepared by SLR
CD 7	Arboricultural Impact Assessment (July 2025) prepared by Urban Green
CD 8	Technical Advice Note prepared by Cotswold Archaeology
CD 9	Ecological Assessment (December 2024) prepared by Ecology Solutions
CD 10	Biodiversity Net Gain Assessment prepared by Ecology Solutions
CD 11	Active Travel England Planning Response (July 2023)
CD 12	Halton Highways Final Comments (21 ST August 2025)
CD 13	Knowsley Highways Final Comments (26 th September 2025)
CD 14	Knowsley Core Strategy
CD 15	Knowsley Unitary Development Plan
CD 16	Joint Merseyside and Halton Waste Local Plan
CD 17	Transport Assessment (May 2023) prepared by SLR
CD 18	Travel Plan (May 2023) prepared by SLR
CD 19	Chapel Lane, Widnes: Response to Halton BC and Knowsley Council (May 2025)
CD 20	Knowsley Draft Planning Conditions

Birmingham
0121 713 1530
birmingham@lichfields.uk

Edinburgh
0131 285 0670
edinburgh@lichfields.uk

Manchester
0161 837 6130
manchester@lichfields.uk

Bristol
0117 403 1980
bristol@lichfields.uk

Leeds
0113 397 1397
leeds@lichfields.uk

Newcastle
0191 261 5685
newcastle@lichfields.uk

Cardiff
029 2043 5880
cardiff@lichfields.uk

London
020 7837 4477
london@lichfields.uk

Thames Valley
0118 334 1920
thamesvalley@lichfields.uk

@LichfieldsUK

lichfields.uk