



Appeal Decision

Site visit made on 17 April 2023

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2023

Appeal Ref: APP/D0650/W/22/3312719

Hough Green Scout And Guide Group Hall And Church Field, Hall Avenue, Widnes, Cheshire WA8 8XR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by St Michael with St Thomas Ditton Parochial Church Council (PCC) against the decision of Halton Borough Council.
 - The application Ref 21/00016/OUT, dated 1 October 2020, was refused by notice dated 10 June 2022.
 - The development proposed is an outline application, with all matters other than access reserved for the erection of two semi-detached dwellings and four detached dwellings on the existing church field and the retention of the existing scout hut.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the decision notice as it is the most precise version. It is the same address as shown on the appeal form. I have also used the description of development from the decision notice since it reflects the changes made to the development as originally proposed during the life of the planning application and thus the appeal before me.

Main Issue

3. The effect of the proposed development on the character and appearance of the area with specific regard to designated Amenity Greenspace (AG).

Reasons

4. The site is in a prominent position, visible from distance and on the corner of Ditchfield Road and Hall Avenue. It is large, open and mostly free from development, containing the Hough Green Scout and Guide Group Hall. There are mature trees along its road boundaries adding a pleasant verdancy to its openness, offering a high quality visual break to an otherwise built up area.
5. Despite being an outline scheme, the proposal and its associated infrastructure would have to all but fill the site, keeping the hall but resulting in the loss of the AG. This loss, even though the site is not publicly accessible, would result in the associated loss of the visual benefits of its openness and verdant character, irreversibly and detrimentally changing its overall qualities and the positive contribution it makes to the character and appearance of the area. The site is not manicured; however, this is not necessarily a negative characteristic, especially if it is into currently being utilised. Accordingly, the site does not

currently have a detrimental impact on the character and appearance of the area.

6. I understand the appeal site was previously used in connection with the scout and guide hall for community events. The loss of the greenspace would prevent the option for it to be used for the community at any point in any capacity in the future. This would add to the harm I have found above.
7. There are pockets of green infrastructure with varying levels of functionality in the area. There may be a surplus of AG in the borough as a whole but not, according to the Council in the community area directly affected by the appeal scheme. This reflects the Halton Local Plan Open Space Study Update 2020 Sites plan. Due to the distances involved and intervening built development, the presence of other green spaces locally, including Hough Green Park and the grounds of St Michael with St Thomas Church which does not have an open space designation, would not sufficiently compensate for the loss of this space through the proposed development.
8. The development plan gives the appeal site AG status. I have seen a Strategic Housing Land Availability Assessment extract which sets out the appeal site's policy designation as a Primarily Residential Area. This is a historic designation which pre-dates the most up to date development plan. I would thus afford it only very limited weight.
9. The biodiversity benefits the site provides has been mentioned in the Council's reason for refusal, however comments from the Council's Ecologist and Natural England confirm that the proposed loss of this particular area of greenspace would not have a detrimental effect on protected species, subject to conditions, and I have no reason to disagree.
10. The appeal scheme seeks outline planning permission with matters of design reserved. Based on the indicative layout with the dwellings facing outward towards the two highways running along the site boundaries, with private gardens and parking areas inside the site, a well-designed scheme could be achieved. Including being likely to be able to achieve the Council's usual standards for acceptable living conditions for future occupiers and highways standards with suitable parking provision. The retention of the existing protected trees around the perimeter of the site and incorporating landscape and biodiversity features is also a positive aspect. These would however be a lack of harm in each case and comply with parts of relevant policies and when assessed in isolation only. They would not in any event make the proposed development acceptable given the harm I have found.
11. Overall, the proposal would harm the character and appearance of the area and the AG for the reasons I have set out. As such, it would be contrary to policies HE4 and CS(R)21 of the Halton Delivery and Allocations Local Plan 2022 which aim to protect and resist the loss of green infrastructure. Consequently, the proposal does not accord with chapter 8 of the National Planning Policy Framework as it would result in existing open space being built on which is not surplus to requirements.

Other Matters

12. The sale of the land may help to fund well established and valuable community projects for the church owners of the site. However, there is no mechanism

before me to secure funds from the sale of the land, and there is no policy basis to justify requesting such.

13. The Council's Planning Committee are not duty bound to follow the officer recommendation. The decision I have seen is that of the Council. Further, it does not affect the considerations that have led to my decision. The conditions that have been suggested to me would not be sufficient to overcome my concerns with regard to the main issue of the case.

Conclusion

14. The appeal scheme would conflict with the development plan as a whole and there are no material considerations worthy of sufficient weight that would indicate a decision otherwise. The appeal should therefore be dismissed.

N Duff

INSPECTOR