



Appeal Decision

Site visit made on 16 July 2025

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 6th August 2025

Appeal Ref: APP/H4315/W/25/3363687

Land South of 33 Mill Lane, Bold Heath, St Helens WA8 3UU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Ms Jan Norton against the decision of St Helens Council.
 - The application Ref is P/2025/0081/PIP.
 - The development proposed is erection of 2 dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 2 and a maximum of 2 dwellings at Land South of 33 Mill Lane, Bold Heath, St Helens WA8 3UU in accordance with the terms of the application, Ref P/2025/0081/PIP.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance¹ (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted². All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

5. Policy LPA01 of the St Helens Borough Local Plan up to 2037, a balanced plan for a better future, July 2022 (LP), indicates within the Green Belt new development shall be regarded as inappropriate unless it falls within one of the exceptions specified in the National Planning Policy Framework (the Framework). Exception 154(g) indicates that the complete redevelopment of previously developed land,

¹ Planning Practice Guidance, Permission in Principle, Paragraph: 001 Reference ID: 58-001-20180615

² Planning Practice Guidance, Permission in Principle, Paragraph: 012 Reference ID: 58-012-20180615

whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt, would not be inappropriate development.

6. The appeal site forms part of the garden of 33 Mill Lane. No 33 is one of several properties located close to the junction between Mill Lane and Warrington Road. There is also a farm shop, garden centre, restaurant, and public house in proximity to the appeal site. These buildings form part of a small hamlet known as Bold Heath, which is not identified as a settlement within the LP. Accordingly, the appeal site is a residential garden outside of a built-up area and therefore meets the definition of previously developed land within Annex 2 of the Framework. Moreover, the Council agree with this assessment.
7. Whilst there were two dwellings located on the site, they have long since blended into the landscape and all that remains is the foundations of these buildings. As such, there are no built structures within the site and the proposal would represent the complete redevelopment of previously developed land. It is therefore necessary to assess whether the proposal would cause substantial harm to the openness of the Green Belt, to conclude on whether the appeal proposal amounts to inappropriate development or not.
8. There is both a spatial and a visual aspect to the openness of the Green Belt. The construction of two dwellings would introduce a significant amount of permanent built development to the site. It would also lead to an intensification in use, which would result in greater residential activity and increased occurrences of domestic paraphernalia being sited in external areas. Overall, the proposal would have a harmful effect on the openness of the Green Belt.
9. Notwithstanding this, the appeal site is surrounded by built development on three sides and residential development extends further south on the opposite side of the road. Along the southern border of the site is a line of trees which provide a strong boundary between the existing built development and the open countryside. As such, the appeal site is making a limited contribution to the openness of the Green Belt. Furthermore, the proposal would not extend beyond the extent of the previously developed land. Although the complete redevelopment of the site would be harmful to the openness of the Green Belt, it would not amount to substantial harm.
10. Taking the above into account, the proposal would represent the complete redevelopment of previously developed land and would not cause substantial harm to the openness of the Green Belt. Therefore, the proposal would not be inappropriate development in the Green Belt. The appellant has indicated that the proposal complies with other exceptions specified in the Framework. However, as I have found the proposal not to be inappropriate development, there is no need for me to assess the proposal against other exceptions. Similarly, in this scenario established caselaw dictates there is not a need for me to assess the proposal against the purposes of including land within the Green Belt.
11. I conclude that the appeal site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development. The proposal would comply with LP Policy LPA01 and the Framework, for the reasons given above.

Other Matters

12. Several consultees responded to consultation on the application for permission in principle indicating that the technical details consent application would need to be supported by a suite of documents and recommending conditions. Similarly, a local councillor has indicated that the proposal should include off-street parking. As above, only issues which are relevant to the in principle matters should be considered at this stage, and other matters should be considered as part of the technical details consent application. As such, these aspects of the proposal, do not fall to be considered as part of the appeal.

Conditions

13. The PPG³ makes it clear that it is not possible for conditions to be attached to a grant of permission in principle, whose terms may only include the site location, type, and amount of development. Therefore, I have not imposed any conditions.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed and permission in principle should be granted.

J Hobbs

INSPECTOR

³ Planning Practice Guidance, Permission in Principle, Paragraph: 020 Reference ID: 58-020-20180615