

The Garden Trust – Do not wish to comment on this application.

Historic England – Do not need to be consulted on this application and can be dealt with under statutory provisions.

LLFA – No objection subject to condition.

Merseyside Fire and Rescue – No objection. Informative to be added to decision notice.

Representations

This application has been publicised by letters sent to 3 neighbours and displayed by site notice. A representation was received from Prescot Town Council requesting further information on where the enclosure is located due to concerns of main road and noise which may affect animals. Details were provided to the Town Council and no further response was received.

Revised proposals were submitted during the course of the application significantly reducing the size of the new enclosure. Given it is a reduction in scale and mass it is not considered necessary to reconsult with neighbours or consultees.

Planning History

A number of applications have been submitted in respect of the wider safari park. However, there is no relevant planning history associated with the application site.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

EC6 – Tourism and Cultural Development

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS5 – Green Belt

CS8 – Green Infrastructure

CS20 – Managing the Borough's Historic Environment

The site is identified as falling within land allocated as Knowsley Park a Historic Park and Garden/Local Wildlife Site as well as Green Belt. The application site is located within the confines of Knowsley Safari and as such the development is acceptable in principle given the predominant use of land associated with the safari park subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to aforementioned policies listed above with the officer's assessment set out below.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Heritage

Policy CS20 seeks to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. The proposed development is located within Knowsley Park which is a Grade II listed Registered Park and Garden and provides the setting to Knowsley Hall a Grade II* Listed Building. Knowsley Hall is not visible from the application site and therefore the impacts arising are assets of the 'setting' of the registered park and garden.

The NPPF(2023) makes clear, significance derives not only from a heritage asset's physical appearance, but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or 'no harm' to a heritage asset.

Knowsley Park dates back to 13th Century and is multi-period though it was landscaped principally in the 18th and 19th centuries. Whilst the area shows remnants of historic parkland design it has been somewhat eroded in the traditional sense with the addition of the Safari Park in the 1970s. Notwithstanding this, the implementation of the Safari Park since the 1970s does play a part in the evolution of Knowsley Park.

As originally submitted the proposals sought to demolish the existing enclosure. However, this is now being retained which is of no historic value and is simply a container shed. This building is a deep dark colour and the Conservation Officer has requested that the building should be coloured similarly to ensure the development merges successfully with the enclosure fence and receding woodland. This has been agreed with the applicant that the baboon enclosure will be finished in Juniper Green paint which is found in surrounding buildings on the estate.

The applicant has submitted an Archaeological Desk Based Assessment which should be treated as a heritage statement where it is considered that the building whilst larger

than the existing would not necessarily represent a significant negative impact on the setting of the Park and Garden. The Conservation and Design Officer is in agreement in this but does consider that the development will result in a low degree of harm to the setting of the park as the new building is not a historic feature of the parkland.

Notwithstanding the above, Knowsley Hall is not visible from this vantage due to the screening provided by the existing baboon habitat. In addition, given the importance of animal welfare together with ensuring the continued operation of the safari park and its importance in terms of its economic role in the local economy should be considered within the realm of the planning balance. Given the low degree of harm it is not considered that the proposals would significantly adversely affect the heritage asset of the registered park and garden particularly when neither the conservation officer, Historic England and The Garden Trust have raised no objections to the proposed development. Accordingly, the proposals comply with the requirements set out in NPPF(2023) and policies CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted 2016.

Green Belt

The application site is located in Green Belt. Policy CS5 relates to development in the Green Belt and states 'inappropriate development' will not be permitted except in very special circumstances.

Paragraph 152 of the NPPF(2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This accords with the approach outlined in Policy CS5 of the adopted Core Strategy.

Paragraph 153 of the NPPF(2023) states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt and sets out a list of exceptions under paragraph 154. The applicant has put forward a case that the proposed development would provide appropriate facilities for outdoor sports and outdoor recreation and involves the redevelopment of previously developed land. However, the Local Planning Authority does not consider that the proposed development would fall under the remit of exceptions listed under paragraph 154 (b) as it would not provide provision for outdoor sport and recreation which should generally be restricted to areas of public open space.

As originally submitted, the application sought to demolish the existing baboon enclosure and this is now being retained. As such, the exception to paragraph 154(g) will continue in use but the majority of land associated with the proposed development is undeveloped and should not be considered to meet the exception. Accordingly, very special circumstances need to be demonstrated to outweigh the harm resulting from the proposal.

This area of the safari is fairly remote with open fields bounded by mature trees and woodland to the rear. The proposed development is of an agricultural style and materials which will help it blend into the existing woodland beyond. In addition, the existing baboon habitat would help screen the building from other vantage points located in the parkland setting. Accordingly, the proposals will appear relatively inconspicuous to the surrounding vantage point and would not be considered out of place when compared to other buildings within the registered park.

The existing baboon house is to now be retained but is insufficient to care for the number of animals found within the enclosure. As originally submitted, the proposals

were significantly larger and have now been reduced in scale. The review undertaken by the applicant identifies a need to improve the existing facilities to cater for welfare needs as well as improvement to the day-to-day operation to provide care to those animals. In addition, Knowsley Safari Park is a key part of the visitor economy to the borough attracting approximately 600,000 visitors per annum resulting in direct and indirect economic benefits to Knowsley Borough as well as the wider Liverpool City Region. Without the new baboon house, this element of the safari park may risk closure and as such would have an impact on the economic activity of the site together with the educational programmes run by the Safari.

The proposals would therefore seek to not only provide the needs for animal welfare resulting in social benefits but would also result in continuing economic activity in the region and environmental benefits associated with a net increase in biodiversity value of 29.36%.

As such, very special circumstances are demonstrated in relation to the proposed development and as such outweigh the harm to the green belt.

Design

The proposals are simple in terms of design and provide the appearance of an agricultural shed. This is considered acceptable given the rural characteristic of the registered park land whereby similar enclosures exist for different animals within the confines of the Safari Park.

The proposed animal enclosure would measure 30.04m in width by 17.07m in depth and front the baboon enclosure together with amendments to the existing security perimeter fence to assimilate into the existing enclosure.

The facing materials will be made of composite panels for both the wall and roof. This is considered appropriate for what is essentially an agricultural building and will be finished in Juniper Green a colour scheme used in the surrounding outbuildings within the Safari Park.

Given the simple nature of the proposals it is considered acceptable in terms of design and would not have an adverse effect on the character and appearance of the parkland setting of the safari park.

Drainage

The site is located within Flood Zone 1 and is at low risk of flooding from rivers and sea. As such, a site specific flood risk assessment is not required.

As originally submitted, the application was supported by a Drainage Assessment which confirmed that soakaway are not viable and surface water will be discharged into the nearest watercourse.

The drainage works fall outside the scope of the red edge but are located within the applicant's wider landholding. The application proposals have been revised in relation to foul drainage as package treatment plant cannot process animal waste. Instead, the applicant intends to install 15,000l shallow dig septic tank below ground which are emptied by the Safari's appointed contractor to a waste disposal plant. As such, no foul water will be discharged into the nearest watercourse.

The Drainage Strategy confirms rainwater will be discharged at a rate of 1l/s. As this

is only rainwater discharging into the existing water course it does not change the current situation on site. Notwithstanding this, the LLFA has requested a condition in relation to details concerning a SUDs scheme and updated management and maintenance plan to reflect this which has been agreed with the applicant. As such, the proposals provide an acceptable drainage solution for both surface and foul water.

Ecology

Habitats

The proposed development is located on two relatively small areas of species poor-neutral grassland. The applicant has submitted a Biodiversity Net Gain metric. Although there is a difference of opinion regarding the classification of grassland it would only result in a minute change of 0.04 habitat units and the uplift of over valuing the grassland results in a further biodiversity net gain. There is insufficient space to accommodate on-site provision to compensate for habitat loss and an area of .15ha has been identified within the wider Safari Park which will achieve a 29.36% net gain to biodiversity which is supported. Notwithstanding this, MEAS has requested that this is secured via a Habitat Management Plan for a period of 30 years. However, BNG is not yet in force and it would be unreasonable to require this from the applicant at this time. Notwithstanding this, a condition relating to the implementation of landscaping is required in the interests of biodiversity.

In light of the above, the proposed development would not result in adverse impacts to the natural environment and would instead provide a net biodiversity gain which is supported and should be considered positively in the overall planning balance.

Protected species

The response provided by MEAS confirms potential for protected species and conditions are placed on this application in the interests of ecology.

Concerns were initially raised by MEAS concerning the drainage strategy and potential affects to water vole and condition was requested for concerning a precautionary approach. However, information provided by the applicant confirms presence of water vole to be low which is accepted by MEAS. Given that wastewater will no longer be discharged into the watercourse it is not considered necessary to include this condition.

Request for condition concerning no tree felling or shrub clearance within the breeding bird season is sought. However, no tree felling is proposed and breeding birds are protected via separate legislation. As such, this condition is unnecessary and instead an informative should be attached to the future decision notice should permission be granted. However, the proposed development would result in the loss of bird breeding habitat and a request for bird nesting boxes is requested. Subject to this condition there is no adverse effect on species.

Brown hare are a priority species and has been observed using grassland areas off-site. As such, a precautionary approach is sought to introduce reasonable avoidance measures which should be secured via condition and will also help protect other mammals such as hedgehog which may be found on site.

Waste

As originally submitted, the proposals sought the demolition of the existing baboon house. This is now being retained as part of the revised schemes. As such, the

condition relating to demolition waste requested by MEAS is no longer required.

Residential Amenity

Given the rural nature of the proposals there are no residential properties within close proximity to the proposed development. As such, there would be no adverse effects to residential amenity beyond what already exist in relation to the existing animals found on site.

Other issues

Highways

No adverse effects to highways safety would occur as a result of the proposed development.

Conclusion

On balance, due to revised plans which have reduced the scale of development so that it is more appropriate in the context of the application site together which will ultimately reduce its affect on the Green Belt together with providing suitable accommodation for animal welfare it is considered that the development would be acceptable in terms of design, residential amenity and highway safety and complies with the relevant Core Strategy, Replacement UDP and guidance in the NPPF and PPG and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission will be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall relate to all land surfaces not built upon and shall include:
 - a) Hard surfaced areas and materials,
 - b) Planting plans, specifications and schedules, planting size, species and numbers, densities and a scheme for the timing/phasing of work.
 - c) Existing plants and trees to be retained.
 - d) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to occupation of the enclosure to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework (2023).

- 4) Prior to occupation details of the number and location of bird nesting boxes and bat boxes to be incorporated into the scheme (minimum 1no. bat and 1no. bird box) being submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be installed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 5) Reasonable Avoidance Measures shall be implemented on site to prevent the harm to mammals (e.g. brown hare and hedgehog) during the construction phase of the development hereby approved in accordance with the following measures:
- All trenches and excavations should have a means of escape (e.g. a ramp);
 - Any expose open pipe system should be capped to prevent mammals gaining access; and
 - appropriate storage of materials to ensure mammals do not use them.

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the construction phase of the development.

Reason: To ensure that the development does not cause harm to any protected species in accordance with the National Planning Policy Framework (2023) and Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 6) Notwithstanding the details submitted, a scheme for the provision and implementation of a surface water regulation system to manage the risk of flooding from both overland flow and from the sewer network has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.

The surface water drainage scheme should be consistent with the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015) or any subsequent replacement national standards.

Reason: To prevent increased risk of flooding by ensuring the satisfactory storage/disposal of surface water from the site and to comply with saved Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 7) Prior to first occupation of the development, an updated Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority.

This shall include:

- a) details of provision for management and maintenance by a resident's management company.
- b) A schedule for on-going inspections relating to performance and condition.
- c) Details for planned maintenance and a mechanism for remedial and urgent repair works.
- d) Means of access for inspection and maintenance purposes.

The plan shall be implemented and completed in accordance with the agreed timescales contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
04.10.2023	06		LOCATION PLAN AT 1:25000 SCALE
04.10.2023	07		SITE LOCATION PLAN AT 1:1250 SCALE
20.12.2023	04	REV A	PROPOSED BABOON HOUSE FLOOR PLANS
20.12.2023	05	REV A	PROPOSED BABOON HOUSE ELEVATIONS
20.12.2023	02	REV A	PROPOSED BABOON HOUSE SITE PLAN
20.12.2023	KNO01-01		ARCHAEOLOGICAL DESK BASED ASSESSMENT
20.12.2023	23328-DR-C-0110	REV P1	DETAILED DESIGN
20.12.2023	23328-DR-C-0103	REV P3	BABOON HOUSE DRAINAGE STRATEGY
20.12.2023	--		REVISED PLANNING STATEMENT
20.12.2023	--		FLOW RATES
20.12.2023	--		MAINTENANCE SCHEDULE

Signed Case Officer¹: **John Fleming**

Signed Authorising
Officer²: **K Foster**

Date: **8 January 2024**

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

INFORMATIVES

BREEDING BIRDS

Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds.

Merseyside Fire and Rescue

Dear Sir/Madam,

THE TOWN AND COUNTRY PLANNING ACT 1990

PLANNING APPLICATION NUMBER REF: 23/02671/FUL

**PROPOSAL: ERECTION OF ANIMAL ENCLOSURE AND ALL ASSOCIATED
INFRASTRUCTURE AND ENGINEERING WORKS**

ADDRESS: Knowsley Safari Park Prescott Bypass Prescott Knowsley L34 4AN

**The Fire Authority requests that any decision notice includes the following
information;**

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- ☐ Access for fire appliances should comply with the requirements of Section B5, Schedule 1 of the Building Regulations. Provisions for access will depend on the size and use of the building. The design of the access route, for example minimum road widths and maximum reversing distances, should also be considered (Appendix A, attached).
- ☐ In accordance with Section 55 of the County of Merseyside Act 1980, the position of the premises should not compromise or impede existing means of fire service access to a neighbouring building.
- ☐ Water supplies for firefighting purposes (Appendix B) should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.
- ☐ Shopping, offices, recreation and tourism

Commercial developments of this type should have a water supply capable of delivering a minimum flow of 20 to 75 litres per second to the development site. Further information regarding access requirements can be found in the current version of Approved Document B, which is available for free download via: <https://www.gov.uk/government/publications/fire-safety-approved-document-b> Should you require any further information in respect of this correspondence please contact the Officer named above

Yours faithfully

Alison Harrison

Authorised Fire Safety Inspecting Officer

And on behalf of Merseyside Fire and Rescue Authority

