

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

<u>APPLICATION NO:</u>	22/00758/AGR	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Tarbock Parish Council
<u>LOCATION:</u>	Tray Ash Farm, Ash Lane, Tarbock Green, Knowsley, WA8 8JS		
<u>PROPOSAL:</u>	FORMATION OF 1 NO. PRIVATE WAY FOR AGRICULTURAL USE		

Site Description

The site is a narrow strip of land from Ash Lane to the north west. The site is part of the wider Tray Ash Farm complex of agricultural landholdings and buildings.

Proposal

The proposal is a prior approval application for the formation of 1 no private way for agricultural use.

Consultations

Knowsley Council Highways – No Objection - note that the application proposals form a junction onto a highway outside of the borough, and therefore the relevant highway authority should be consulted.

Halton Council Highways - Based on the information submitted and confirmation that the site will have no intensification of use on Ash Lane from the previous extant use (and land area involved can only support the previous extant level of operation) Halton Council as Highway Authority do not object to the proposals. I would recommend that Knowsley BC and the applicant ensure that the space allowed within the access road is sufficient in size/tracking for all types of vehicles which will enter the site, and the applicant will need to make appropriate arrangements with Halton as Highway Authority under Highways Act S184 for construction of the new access interface with Ash Lane. I also understand there have been no neighbour objections to the application.

Representations

N/A

Planning History

Numerous applications have been approved at the site, however, none are directly relevant to the current application. However, an application for a residential conversion at the site has been submitted but is yet to be determined (22/00761/FUL).

Relevant Policy

General Permitted Development Order 2015 (as Amended)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

General Permitted Development Order 2015 (as Amended)

Reasonably necessary for the purposes of agriculture

Class A of Part 6 of the GPDO 2015 (As Amended) 2015 requires that in order to be permitted development works must be reasonably necessary for the purposes of agriculture within that unit in order to benefit from permitted development rights.

“PART 6 Agricultural and forestry-

Class A – agricultural development on units of 5 hectares or more

Permitted development

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

(a) works for the erection, extension or alteration of a building; or

(b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit”.

The proposal would serve an existing farm and would be used in connection with the agricultural use of the site. Additional information was submitted to demonstrate that the access would serve an agricultural purpose. Therefore, the proposal complies with this part of the GPDO.

Classified Road

Part A.1 (h) of Class A states that development is not permitted if any part of the development would be within 25 metres of a metalled part of a trunk road or classified road. However, correspondence with Halton Council's highways department has confirmed that Ash Lane is not a classified road.

SITING AND MEANS OF CONSTRUCTION

In relation to the siting and construction, the application has been amended to create a wider entrance for the turning and manoeuvring of agricultural vehicles. As a result, the siting of the access road is now acceptable. This view is supported by the Knowsley and Halton Highways who have no objection to the proposal.

Conclusion

The application complies with the requirements of Class A – of part 6 of the GPDO 2015 (as amended). Therefore, it is considered that prior approval is required and approved in accordance with the provisions of the GPDO.

Recommendation

The applicant be informed that under the terms of Class A (Part 6) of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) prior approval is required and approved.

Signed Case Officer¹: **Andrew Hunt**

Signed Authorising Officer²: **K Foster**

Date: **30 March 2023**

Informatives

1) **Section 184**

The applicant will need to make appropriate arrangements with Halton as Highway Authority under the Highways Act S184 for construction of the new access interface with Ash Lane.

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