

<u>APPLICATION NO:</u>	25/00430/CLD	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	St Annes Catholic Primary School, Marina Crescent, Huyton, Knowsley, L36 5XL		
<u>PROPOSAL:</u>	CERTIFICATE OF LAWFUL DEVELOPMENT FOR THE PROPOSED ERECTION OF CLASS ROOM / GARDEN ROOM		

Site Description

The application site comprises a single storey building and associated ground which is currently in use as St Annes Catholic Primary School.

The school is characterised by brick to its elevations, has flat roofs and white UPVC windows.

To the east of the site is gated parking with access via Marina Crescent, to the south of the site is a private playing field and soft play area, and to the east of the site is a hardstanding playground and 3no. mobile units.

The application site is identified as an Urban Greenspace / Education Land in the Knowsley Local Plan: Core Strategy.

Proposal

Application for a Certificate of Proposed Lawful Development to erect a single storey classroom / garden room within the grounds of the Primary School.

The unit would have a width of 7.0m and a depth of 4.0m. It would also have a flat roof with a height of 2.6m. It would be located towards the rear of the school site in proximity of two mobile classrooms.

Consultations

Whilst no consultations were carried out for this application, a comment was received from Merseyside Fire and Rescue Authority containing an objection.

Merseyside Fire & Rescue Authority – Objection.

The Fire Authority wishes to raise an objection to the above proposal on the following grounds:

- The site layout does not appear to conform to the requirements for fire service access as given in Section B5, Schedule 1 of the Building Regulations, as follows:
- Small buildings (up to 2000m², with a top occupied storey a maximum of 11m above ground level, require access for a pump appliance to 15% of the perimeter, or within 45m of every point of the footprint of the building, whichever is the less onerous.

- Access routes and hardstanding should comply with Table 13.1 ADB Volume 1 / Table 15.2 ADB Volume 2. Please note MFRS appliances are 17 tonnes (pump) and 26 tonnes (high reach).
- Dead-end access routes longer than 20m require turning facilities (e.g. a turning circle or hammer head, or other turning point).
- If access requirements cannot be fully complied with then, in certain circumstances, the installation of an appropriate sprinkler system may be used as a compensatory feature. Competent advice should be sought in such cases.

Representations

None required.

Planning History

19/00317/FUL	Erection of a single storey mobile classroom unit. Granted (11.09.2019)
17/00755/FUL	Erection of 2.4m high fencing and gates to enclose additional land for school use (section of existing 1.5m fencing adjacent to Twickenham Drive to be removed) (revised scheme to previously withdrawn application). Granted (19.03.2018)
17/00190/FUL	Erection of 2.4m high fencing to boundary (section of existing 1.5m fencing to be replaced). Withdrawn (11.05.2017)
13/00690/FUL	Re-cladding of 2no. pre-fabricated mobile classroom units together with infill panels below windows to match main school building. Granted (14.01.2014)
12/00501/FUL	Erection of an extension to existing main school building by partial infill of existing courtyard area to form new teaching area. Granted (31.10.2012)
12/00231/FUL	Application for variation of Condition No.3 attached to planning permission 09/00131/FUL (Erection of 2no. mobile units to form 4no. classrooms, construction of playground and erection of 2.4m high fencing and gates), to allow for classrooms to be retained for an additional three years. Withdrawn (06.07.2012)
11/00558/KMBC1	Erection of 1no. storage unit and associated works. Granted (23.11.2011)

09/00131/FUL	Erection of 2no. mobile units to form 4no. classrooms, construction of playground and erection of 2.4m high fencing and gates. Granted (03.07.2009)
09/00049/FUL	Erection of extension to reception class. Granted (02.04.2009)
06/00481/FUL	Retention of lighting column sited in staff car park. Granted (08.09.2006)
06/00456/FUL	Erection of 2.4m high palisade security fence together with gates to part of school boundary. Granted (20.07.2006)
05/00787/KMBC1	Resubmission of withdrawn application 05/00614/KMBC1 for the siting of storage container. Granted (02.09.2005)
05/00632/FUL	Erection of extension and to increase classroom sizes. Granted (11.08.2005)
05/00614/KMBC1	Siting of storage container. Withdrawn (03.08.2005)
03/00105/KMBC1	Erection of new 2.4m high security fence with relocation of part of existing 2.4m high security fence and provision of tarmacked surface games area. Granted (30.04.2003)
03/00023/FUL	Erection of 1no. classroom, 2no. storerooms, 2no. classrooms, admin and headteachers office extensions, erection of associated office accommodation and relocation of a section of existing security fencing. Granted (12.03.2003)
02/00419/FUL	Erection of single storey extension to rear (west) elevation to form new store, relocation of windows, extension to play area and formation of hardstanding area. Granted (15.07.2002)
01/00446/FUL	Erection of extension to 2no. classrooms on the western elevation. Granted (28.08.2001)

97/00617/APP

Erection of 2.4m high powder coated palisade security fencing.

Granted (19.01.1998)

Relevant Policy

General Permitted Development (England) Order 2015 (as amended)

Assessment

The proposed single storey classroom / garden room requires an assessment against Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Part 7, Class M (extensions etc for schools, colleges, universities, prisons and hospitals)

Permitted development.

M – The erection, extension or alteration of a school, college, university, prison or hospital building.

Development not permitted.

M.1 Development is not permitted by Class M –

- (a) If the cumulative footprint of any erection, extension or alteration under Class M on or after the relevant date would exceed the greater of -
 - (i) 25% of the cumulative footprint of the school, college, university, prison or hospital buildings as it was on the relevant date.

No – therefore acceptable.

- (ii) 250 square metres.

No - therefore acceptable.

- (b) In the case of a college, university, prison or hospital building, if any part of the development would be within 5 metres of a boundary of the curtilage of the premises.

N/A – the development would be within the grounds of a primary school.

- (ba) In the case of a school, where any land adjacent to the site is used for a purpose within Part C of the Schedule to the Use Classes Order (residential purposes), if any part of the proposed development is within 5 metres of the boundary of the curtilage of that residential land.

No – the proposed development would not be within 5m of the boundary of the curtilage of residential land – therefore acceptable.

- (c) If, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used.

No – therefore acceptable.

- (d) If the height of any new building erected would exceed –
 - (i) If within 10 metres of a boundary of the curtilage of the premises, 5 metres.

No – therefore acceptable.

- (ii) In all other cases, 6 metres.

No – the height of the garden room would be 2.6m – therefore acceptable.

- (da) If the height of any rooftop structure would exceed 1.5 metres.

N/A – the proposal does not include any rooftop structure.

- (e) If the height of the building as extended or altered would exceed –
 - (i) If within 10 metres of a boundary of the curtilage of the premises, the lesser of the height of the building being extended or altered or 5 metres.

No – therefore acceptable.

- (ii) In all other cases, the height of the building being extended or altered.

No - therefore acceptable.

- (f) If the development would be within the curtilage of a listed building

N/A – the application site is not a listed building.

- (g) Unless –
 - (i) In the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education.

N/A

- (ii) In the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services.

N/A

- (iii) In the case of prison buildings –
 - (aa) The predominant use of the existing buildings on the premises is for the confinement of prisoners.

N/A

- (bb) In the case of a closed prison, the development does not involve the erection, extension or alteration of any building beyond the perimeter as it stood on the relevant date.

N/A

M.2 Development is permitted by Class M subject to the following conditions –

- (a) The development is within the curtilage of an existing school, college, university, prison or hospital.

Yes – the development would be within the curtilage of an existing primary school – therefore acceptable.

- (b) The development is only used as part of, or for a purpose incidental to, the use of that school, college, university, prison or hospital.

Yes – the unit would be used as a new classroom / garden room – therefore acceptable.

- (c) Any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the original school, college, university, prison or hospital buildings.

N/A – the application site is not situated within article 2(3) land.

- (d) Any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered.

N/A – the application site is not situated within article 2(3) land.

Conclusion

Development can be considered to be permitted development regarding the proposed erection of a garden room / classroom as the scheme is compliant with Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation

That a Certificate of Lawfulness be **Granted**

- 1) The proposal complies with the requirements of Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17.07.2025	7683-SA-CUN-XX-XX-DR-A-1200	P01	Proposed Site Plan

17.07.2025	7683-SA-CUN-XX-00-DR-A-2010	P01	Proposed Classbase Details
17.07.2025	7683-SA-CUN-XX-XX-DR-A-1001	P01	Proposed Site Location Plan

Signed Case Officer¹: Louise Robinson

Signed Authorising Officer²: _____

Date: _____

Informatives

1. Merseyside Fire and Rescue has raised an objection to the proposal on the following grounds:
 - a) The site layout does not appear to conform to the requirements for fire services access as given in Section B5, Schedule 1 of the Buildings Regulations, as followed:
 - b) Small buildings (up to 2000m², with a top occupies storey a maximum of 11m above ground level), require access for a pump appliance to 15% of the perimeter, or within 45m of every point of the footprint of the building, whichever is the less onerous.
 - c) Access routes and hardstanding should comply with Table 13.1 ADB Volume 1 / Table 15.2 ADB Volume 2. Please note: MFRS appliances are 17 tonnes (pump) and 26 tonnes (high reach)
 - d) Dead-end access routes longer than 20m require turning facilities (e.g. a turning circle or hammer head, or other turning point).
 - e) If access requirements cannot be fully complied with then, in certain circumstances, the installation of an appropriate sprinkler system may be used as a compensatory feature. Competent advice should be sought in such cases.

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

2. In addition, the following requirements are drawn to your attention:

Access for Fire Fighting

- 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 Provision

- Water supplies for firefighting purposes 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.
- Consideration should be given to the recommendations within the 'National guidance document on the provision of water for fire fighting', produced by the Local Government Association and Water UK, available for free download via: <https://www.water.org.uk/national-guidance-document-provision-water-firefighting>

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>

Site Photographs



Appendix A

Appendix A - Access and Facilities for the Fire Service as given in Section B5 of Approved Document B

Domestic Dwellings

For dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house.

For flats, either: access for a pumping appliance should be provided to within 45m of all points inside each flat of a block, measured along the route of the hose; or fire mains should be provided.

Commercial Buildings

Small buildings (up to 2000m², with a top occupied storey a maximum of 11m above ground level), require access for a pump appliance to 15% of the perimeter, or within 45m of every point of the footprint of the building, whichever is the less onerous.

Larger buildings will require access to a percentage of the perimeter that increases incrementally with size of the total floor area and height of building – please see details in Approved Document B Volume 2 Section 15.

Elevations to which vehicle access is provided will require a door, to give access into the building. The maximum distance between doors, or between a door and the end of the elevation, is 60m (ie a 150m elevation would need a minimum of two doors).

All Buildings

Access routes and hardstanding should comply with Table 13.1 ADB Volume 1 / Table 15.2 ADB Volume 2. Please note: MFRS appliances are 17 tonnes (pump) and 26 tonnes (high reach).

Dead-end access routes longer than 20m require turning facilities (eg a turning circle or hammer head, or other turning point).

Where fire mains are fitted, access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building and visible from the parking position of the appliance. The run of horizontal internal connecting pipe should be a maximum of 18m in length.

Buildings with a storey more than 18m above the fire service vehicle access level, or a basement more than 10m below, should have one or more firefighting shafts containing fire-fighting lifts and fire mains (a minimum of two fire-fighting shafts will be required for buildings with a floor area of 900 m² or more).

Buildings in the 'shop and commercial', 'assembly and recreation' or 'industrial' purpose groups (Groups 4, 5, or 6), with a storey area of 900m² or more and a storey height of 7.5m or more above fire service vehicle access level will require at least two firefighting shafts (firefighting lifts may not be needed).

Entry to a firefighting shaft at fire service access level should be available either directly from the open air or by way of a protected corridor not exceeding 18m in length. The corridor is deemed to be part of the firefighting shaft, and any access to it from the accommodation should be by way of protected lobbies.

Hydrants

Where a building has a compartment with an area of more than 280m² and is being erected more than 100m from an existing fire hydrant, additional hydrants are required as follows:

Buildings with fire main – hydrant within 90m of dry fire main inlet;

Buildings without fire main – hydrant within 90m of an entrance to the building; and a maximum of 90m apart.