

Knowsley Council  
Regeneration and Economic Development Directorate.  
Delegated Planning Report

|                               |                                                                                |                             |             |
|-------------------------------|--------------------------------------------------------------------------------|-----------------------------|-------------|
| <b><u>APPLICATION NO:</u></b> | 25/00685/AGR                                                                   | <b><u>CASE OFFICER:</u></b> | Andrew Hunt |
| <b><u>WARD:</u></b>           | Northwood                                                                      | <b><u>PARISH:</u></b>       | N/A         |
| <b><u>LOCATION:</u></b>       | Land South of Boundary Road, Knowsley Industrial Park<br>Kirkby, Knowsley,     |                             |             |
| <b><u>PROPOSAL:</u></b>       | PRIOR APPROVAL FOR THE ERECTION OF AN AGRICULTURAL<br>PRODUCE STORAGE BUILDING |                             |             |

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### **Site Description**

The application is a small rectangular site set to the south of Boundary Lane and east of Perimeter Road. It is part of a larger farm complex which straddles both sides of Perimeter Road. There are two existing dwellings to the north west of the site (north of Boundary Road) and the rest of the site is surrounded by open fields.

### **Proposal**

The proposal is a prior approval application for the erection of an agricultural produce storage building. The building would be 1440sqm in size and the following dimensions;

- Length: 24m
- Width: 60m
- Height: 10.01m

The proposal has been amended to relocate the building further to the east, away from the nearby residential properties.

### **Consultations**

Environmental Health – No objection subject to conditions in relation to construction hours and fixed plant noise.

Highways – Boundary Road is considered a classified Road (Class C) but is not considered to be metalled.

Merseyside Fire and Rescue – No objection subject to informatives.

West Lancashire Council – No Response

### **Representations**

1 Objection has been received to the original plans consisting of the following main points:

- The building may not be used for agricultural purposes.
- The building would result in loss of light and outlook and would create overshadowing for our property.
- There is no justification for such a large building close to our house.
- A previous application was refused by West Lancashire Council.
- A large agricultural barn has already been constructed on the other side of the farm and this must be taken into account when assessing permitted development rights.

### **Planning History**

(West Lancashire) - 2023/1069/PNP - Application for Determination as to Whether Prior Approval is Required for Details - Erection of Agricultural Storage Building - Prior Approval not required. (21/12/2023)

### **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 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.

### **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 existing farmholdings and would be used in connection with the agricultural use of the site. It would be used as an agricultural produce storage building. The site is centrally located within the agricultural landownership of

the applicant. Whilst concerns have been raised about whether it would be used for agriculture, there is no evidence that the building would not be used in connection with the applicants agricultural landholdings which are extensive. Therefore, the proposal complies with this part of the GPDO.

### Size Limitations

*(e)the ground area which would be covered by—*

*(ii)any building erected or extended or altered by virtue of Class A [F2would exceed 1,500 square metres],  
which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development;*

*(g)the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;*

*(h)any part of the development would be within 25 metres of a metalled part of a trunk road or classified road”;*

*“(2) For the purposes of Classes A, B and C—*

*(a)an area “calculated as described in paragraph D.1(2)(a)” comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development”*

The development would consist of a ground area of 1440sqm. This is below the threshold of 1500sqm and complies with the requirements of the GPDO. Whilst a previous application in West Lancashire for an agricultural building was approved (2023/1069/PNP), this was approved over 2 years ago and so the 1500sqm allowance has reset since this. This means the current proposal benefits from the full 1500sqm allowance.

The maximum height of the building would be 10.1metres high and well below the 12 metre limit. The development would be more than 25 metres away from Perimeter Road which is the nearest metalled classified road. Overall, the application complies with the requirements of the General Permitted Development Order in relation to size limitations.

### **SITING AND MEANS OF CONSTRUCTION**

*“(i)the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building”;*

In relation to the siting, design and external appearance of the building,

The location of the building has been repositioned away from neighbours and further to the east. The building would be over 250 metres away from the dwellings to the west on the opposite side of Boundary Lane. This now means that there would be no harm to the amenity of neighbours through loss of light, outlook or privacy.

The proposed Grain Dryer has been removed and the proposal would not adversely impact neighbours through noise impacts. This is supported by the council's environmental health department who have no objection subject to conditions.

The building would consist of green metal sheeting with grey concrete panels underneath. The roof would also be green metal sheeting.

The building is of a typical standard design and appearance and would not be out of place in a rural farming location. The size of the building would be large, but the site would be screened with planting and the green colour of the building would reduce its visual prominence in the countryside.

### **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 subject to the following conditions:

1) **Construction Hours**

No construction / demolition work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

Reason: In order to protect neighbours from late night noise.

2) **Fixed Plant**

Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: In order to protect future occupiers from noise.

**Informatives**

N/A

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