



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/02676/FUL

Name and address of applicant

The Neighbourhood Services Company
Larkins Farm
Gellings Lane
Knowsley
Knowsley
L34 9EN

Name and address of agent

MAT Design Limited
17 Brookside Avenue
Eccleston
St Helens
WA10 4RN

Date of Receipt: 20 September 2023

Date Valid: 12 October 2023

Address/Location Of Development:

Larkins Farm
Gellings Lane
Knowsley
Knowsley
L34 9EN

Description of Development:

**INSTALLATION OF SOLAR FARM, ORGANIC BOUNDARY FENCING, 1NO SUB
STATION, 1NO TRANSFORMER BUILDING, SITE SERVICE ACCESS,
ASSOCIATED LANDSCAPING AND BIO-DIVERSITY IMPROVEMENTS (NET
GAIN)**

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted 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 following approved plans and documents :-

- a. Proposed Aerial Site Plan - 2 - (received 20/09/2023).
- b. Proposed Site Plan - 3 - (received 20/09/2023).
- c. Location Plan - 1 - (received 20/09/2023).
- d. Living Fence and Wildflower Meadow - (received 20/09/2023).
- e. Proposed Substation - Plan and Elevations - SP4049060 - (received 20/09/2023).
- f. Proposed Transformer Station - Plan and Elevations - 17039_A_(SC_LF_SUB)_A0_G1 - (received 20/09/2023).

Reason: For the avoidance of doubt.

3. Prior to commencement of the development, a scheme of ecological mitigation shall be submitted to and approved by the local planning authority. The ecological mitigation scheme shall deliver an enhancement in biodiversity in line with the Biodiversity Net-gain Assessment. This shall provide a minimum 65.85% net gain in Area units and a 70.03% net gain in Linear units. The approved ecological mitigation scheme shall be implemented before the approved development is brought into use or in accordance with a timescale previously approved in writing by the Local Planning Authority.

Reason: In order to ensure biodiversity net gain is implemented on site.

4. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall have been submitted to and approved by the local planning authority. All works shall be carried out in accordance with the approved details and retained as such hereafter.

The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts including:

- a. Measures to protect amphibians (paragraph 12);
- b. Measures to protect terrestrial mammals (paragraph 14);
- c. Measures to protect breeding birds (paragraph 16); and
- d. Standard pollution control measures to protect all retained habitats, including wetlands.

The Construction Environment Management Plan (CEMP) is to include the use of noise reduction measures such as those referred to by the applicant (Echo barriers) during all piling activities.

Reason: In order to protect wildlife from construction impacts.

5. No development shall take place until a scheme has secured for the implementation and submission of a report on a programme of archaeological works. That programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include:

- a. A phased programme and methodology of site investigation and recording;
- b. A programme for post-investigation reporting to include production of a final report of the significance of the below-ground archaeological interest;
- c. Provision for appropriate publication and dissemination of the archaeology and history of the site;
- d. Provision for archive deposition of the report, finds and records of the site investigation; and
- e. Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI.

Reason: In order to preserve archaeological records of the site.

- 6. Prior to the erection of any lighting on site, a lighting scheme to prevent light spill onto nearby habitats shall be submitted to and be approved in writing by, the local planning authority. All works shall be carried out in accordance with the approved details and retained as such hereafter.

Reason: In order to protect wildlife (including bats) from excessive light.

- 7. Prior to the generation of electricity from the site, details of bird and bat boxes (including their number, location and detailed specification) shall have been submitted to and have been approved by the local planning authority. All works shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In order to secure bird and bat boxes on the site to improve biodiversity.

- 8. Prior to the generation of electricity from the site, details of a Landscape and Ecological Management Plan shall have been submitted to and have been approved by, the local planning authority. All works shall be carried out in accordance with the approved details and retained as such hereafter.

The Plan should include the following:

Description and evaluation of the features to be managed;
 Ecological trends and constraints on site which may influence management;
 Aims and objectives of management;
 Appropriate management options for achieving aims and objectives;
 Prescriptions for management actions;
 Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
 Personnel responsible for implementation of the plan;
 Confirmation of funding and ownership and details of a programme of monitoring and remedial measures triggered by monitoring.

Reason: In order to secure bird and bat boxes on the site to improve biodiversity.

- 9. No topsoil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In order to prevent contamination material being imported onto the site.

10. Hedgehog highways (13cm x 13cm gaps) should be installed into any fences on site and shall be retained hereafter. The following reasonable avoidance measures shall also be in place to prevent harm to hedgehogs.

A pre-commencement check for hedgehog;

All trenches and excavations should have a means of escape (e.g. a ramp);

Any exposed open pipe systems should be capped to prevent mammals gaining access; and

Appropriate storage of materials to ensure that mammals do not use them.

Reason: In order to prevent harm to hedgehogs.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In order to prevent harm to human health from contamination.

12. Fixed plant and equipment 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 (77 Parkview Road).

Reason: In order to prevent harm to human health from contamination.

13. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance or building work is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: In order to avoid harm to breeding birds.

14. Within 35 years of the date of planning permission being granted, a scheme for the removal of the solar panels and restoration of the site shall be submitted to and be approved by the local planning authority. The scheme shall be implemented in accordance with the agreed details within 3 months of the site ceasing electricity generation.

Reason: In order restore the site to its previous state.

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance:-

KNOWSLEY LOCAL PLAN: CORE STRATEGY

SD1 - Sustainable Development
CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS5 - Green Belt
CS7 - Transport Networks
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS23 - Renewable and Low Carbon Infrastructure
CS24 - Managing Flood Risk
CS26 - Waste Management
ENV5 - Contaminated Land

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

ENV2 - Noise and Vibration

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Andrew Hunt on 0151 443 2204)

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.

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
- a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.

A handwritten signature in black ink, appearing to read 'Dubon'.

Executive Director - Regeneration and Economic Development

Date: 22 July 2024

IMPORTANT NOTES FOR YOUR ATTENTION:

1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.
2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.
3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.