

Historic England – No objection. Do not need to notify or consult Historic England. Application can be dealt with via relevant statutory provisions.

LLFA – No objection subject to condition.

Representations

This application has been publicised by letters sent to 3 neighbours and displayed by site notice. A representation was received from Prescott 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.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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
DQ4 – Trees and Development

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 Park 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 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.

Assessment

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 147 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.

Paragraph 149 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. The applicant has put forward a case that the proposed development would provide appropriate facilities for outdoor sports and outdoor recreation. However, the Local Planning Authority does not consider that the proposed development would fall under the remit of exceptions listed under paragraph 149 (b) as it would not provide provision for outdoor sport and recreation which should generally be restricted to areas of public open space and amenity. Accordingly, very special circumstances need to be demonstrated to outweigh the harm resulting from the proposal given that it is currently vacant grassland.

The application site is visually affected by Park Farm and nearby outbuildings together with tree planting which provide natural screening measures. Whilst the proposed development would introduce new built form it would be sited adjacent to existing outbuilding which helps to provide some screening. In addition, the applicant is also seeking to introduce new tree planting and through discussions will also provide additional tree planting (subject to condition) to the southwestern extent to help minimise the affects on Knowsley Park which will also help reduce its visual affects on the openness of the Green Belt.

Notwithstanding the above, the proposed development would introduce new built form in an area which is largely open. The Local Planning Authority consider that there are very special circumstances regarding this application and the need for the development to ensure animal welfare is maintained to correct standards. If the proposed development is not provided for then it runs the risk of culling animals together with having a direct affect on the local economy given the Safari Park is a significant local employer and key part of the visitor economy of the borough and wider Liverpool City Region.

The proposals would therefore seek to not only provide the needs for animal welfare

resulting in environmental benefits but would also result in continuing to support economic activity in the region.

Whilst the development would be located in the Green Belt, it would be visually affected by nearby development associated with the Safari and Park Farm together with the fact that new tree planting will help reduce the visual harm. Very Special Circumstances have been demonstrated in relation to the proposed development and as such outweigh the harm to the openness of the Green Belt given that it is located in an isolated position within the existing safari.

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 to the 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.

The adjacent buildings to the application site are part of Park Farm and are not individually noted within the list entry for Knowsley Park. The extent of these structures largely date from the 19th Century and categorised by inward arrangement of buildings. However, these are considered to be of low-moderate interest and overall make a low-moderate contribution to the setting of Knowsley Park.

The applicant has submitted an Archaeological Desk Based Assessment which should be treated as a heritage statement as it provides a suitable overview of the historic development of Knowsley Park. The enclosed scrubland subject to this application and the use of birch trees and individual trees provide some screening for the proposed development.

The Conservation and Design Officer has reviewed the proposals and notes that some unavoidable harm will occur to the setting of the historic park as it will add to the incoherent mix of functional structures found within the landscape. Request has been made on the need for additional tree planting to offer improved screening to the southwest, details on finish of external metal work and cladding and fencing. These matters have been discussed with the applicant who has confirmed that additional tree planting will be provided and that materials have been agreed during the course of this application.

Subject to additional tree screening then a very low level of harm to the Historic Park and setting of Knowsley Hall would therefore occur.

The harm to the designated heritage assets has been considered and as such, 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,

The proposals are considered to comply with the requirements set out in NPPF(2023) and policies CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted 2016.

Design

The proposals are simple in terms of design and appearance and are akin to an agricultural shed. The main animal house will provide numerous pens for hoof animals together with store area and animal crush. Either side of the shed is an external compound which provides a total of 6no. pens.

As originally submitted, the plans did not include reference to the colour of facing materials which are to be cladded. This was clarified by the applicant via email who confirmed that the cladding on buildings will be Juniper Green (RAL 160 20 10 OR BS12B29). This is the same colour used on buildings found across the Safari Park and is therefore considered appropriate in terms of design. The steel will not be visible externally and will be coated with a standard rust inhibitor.

The external compound will be of timber close boarded fencing finished in the same Juniper Green paint and will divide the pens. A new galvanised steel mesh deer fencing will be used to separate the paddocks.

The roof will include velux roof lights to provide natural lighting to the internal space. Given the nearby outbuildings which are similar in appearance, the proposals are considered acceptable given the rural characteristic which responds positively to the structures found within its immediate setting.

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 nor would it have an adverse effect on the openness of the Green Belt given the application's sites isolated position which is located centrally within the existing 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 plan 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 .5l/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

Trees

The submitted Arboricultural Impact Assessment confirms there would be no net loss of trees and that existing trees will be protected by temporary tree protective fencing whilst construction works are underway. As such, there would be no adverse effects to existing trees located on site.

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.

Concerns were raised with potential for Park Farm to provide roosting and foraging potential for bats. However, the site does not include external lighting and as such no condition is sought. Given its rural location and potential for the presence of bats the provision for bat boxes are secured via 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.

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.

Biodiversity Net Gain

The applicant submitted a Biodiversity Net Gain (BNG) metric which demonstrates a net gain of 30.65%. However, there is insufficient space located on site to compensate for habitat loss and off-site enhancement of 0.25ha of modified grassland to other neutral grassland in moderate condition is proposed adjacent to the car park at the safari entrance. MEAS considers that offsite enhancement should be secured via condition relating to the submission of a Habitat Management Plan for a period of 30 years. However, BNG is not yet in force. As such, a condition for habitat management plan would not be appropriate until its implementation. Notwithstanding this, given the off-site enhancements together with additional tree planting required to address concerns raised by the Design and Conservation Officer a condition should be attached to this application concerning the implementation of

landscaping in the interests of biodiversity.

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

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 highways impact would occur as a result of the proposed development.

Conclusion

It is considered that very special circumstances are demonstrated in the needs of animal welfare together with supporting the continued operations of the Safari Park which plays an important role in the wider Liverpool City Region economy. The development proposals are required to ensure animal welfare together with the continued operation of the Knowsley Safari Park in terms of housing hoof stock. Given this, very special circumstances are demonstrated that outweigh the harm to the Green Belt.

The proposed development is simple agricultural shed that would result in low harm to Knowsley Park Registered Park and Garden.

Taking these matters into consideration, the development is acceptable in terms of design and residential amenity and therefore complies with the relevant Core Strategy, Replacement UDP policies and guidance set out 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) 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 exposed open pipe system should be capped to prevent mammals gaining access; and
- appropriate storage of materials to ensure mammals do not use them.

These 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.

- 4) 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).

- 5) 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.

- 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
21.09.2023	03		LOCATION PLAN AT 1:25000 SCALE
21.09.2023	04		LOCATION PLAN AT 1:1250 SCALE
15.09.2023	G4		PROPOSED ELEVATIONS (NO CLADDING)
15.09.2023	G5		PROPOSED ELEVATIONS (WITH CLADDING)
15.09.2023	G10		PROPOSED FLOOR PLAN
20.09.2023	02	REV B	PROPOSED SITE PLAN
21.11.2023	--		AGENT EMAIL RECEIVED 21.11.2023 CONFIRMING COLOUR OF CLADDING
20.09.2023	1.KNOWSLEY.CA TERJONAS.8-23		PRE-DEVELOPMENT ARBORICULTURAL IMPACT

			ASSESSMENT
27.09.2023	1.KNOWSLEY TCP 8.1		TREE CONSTRAINTS PLAN
27.09.2023	1.KNOWSLEY TIP 8.23.2		
20.09.2023	KNO02-01		ARCHAEOLOGICAL DESK BASED ASSESSMENT
15.09.2023	--		ECOLOGICAL SCOPING ASSESSMENT REPORT
20.09.2023	--		AFRICA HOUSE PLANNING STATEMENT
20.09.2023	--		BNG METRIC CALCULATION 4.0
13.12.2023	23328-DR-C-0110	P2	DRAINAGE STRATEGY HOOF HOUSE
13.12.2023	--		HOOF HOUSE MAINTENANCE SCHEDULE
14.12.2023	--		HOOF HOUSE FLOW RESULTS

Signed Case Officer¹: **John Fleming**

**Signed Authorising
Officer²:** **K Foster**

Date: **14 December 2023**

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

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

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.

Informatives

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