



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00686/FUL

Name and address of applicant

CDP
Earlsfield Park
Land At Knowsley Lane
Knowsley
L34 4AH

Name and address of agent

Date of Receipt: 27 December 2024

Date Valid: 27 December 2024

Address/Location Of Development:

Earlsfield Park
Land At Knowsley Lane
Knowsley
L34 4AH

Description of Development:

**VARIATION OF CONDITION 26 ATTACHED TO PLANNING PERMISSION
20/00376/OUT (OUTLINE PLANNING PERMISSION FOR 30,530 SQ M OF
EMPLOYMENT FLOOR SPACE (USE CLASS B1 / B8) - ACCESS TO BE
CONSIDERED AT THIS STAGE (ALL OTHER MATTERS RESERVED) TO ALLOW
FOR THE EXTENDED USE OF UNIT 3 FROM CLASS B1 (NOW CLASS E (G) (II)
(III)) AND CLASS B8 TO INCLUDE CLASS F1 (A), TRAINING FACILITIES**

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. Application for approval of reserved matters must be made not later than the expiration of three years from the date of the original planning permission, 03.03.2021 and the development must be begun no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. No part of the development of any individual plot formed within the application boundary hereby granted outline permission is commenced until details of the reserved matters set out below for that plot have been submitted to and approved in writing by the Council as Local Planning Authority: (a) layout; (b) scale and (c) appearance and (d) landscaping. The development shall be carried out in accordance with the reserved matters as approved.

Reason: The application is in outline form only.

3. Applications for the reserved matters shall be in accordance with the parameters as submitted with planning application 20/00376/OUT in relation to the following: Drawing No. RYD-00-ZZDR-A 2001 Rev P4 'Knowsley Lane - 1-1000 Proposed Phase 2 Building Heights Parameter Plan'

Reason: For the avoidance of doubt.

4. The landscaping to the individual plots shall be carried out in accordance with the programme of works approved pursuant to condition 4 attached to planning permission 20/00376/OUT. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

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, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the National Planning Policy Framework.

5. The development hereby permitted shall be carried out in accordance with the Construction Management Plan approved pursuant to condition 6 attached to planning permission 20/00376/OUT.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

6. The development hereby permitted shall be carried out in accordance with the management company details/responsibilities outlined in the 'Letter from Cushman & Wakefield dated 09 12 2020' submitted under planning application 20/00376/OUT.

The management company shall be operational in its duties of management and maintenance prior to the first occupation of any ancillary/employment unit forming part of the development and shall be retained to carry out such duties at all times and the management shall be carried out in accordance with the agreed details.

Reason: To ensure the management and maintenance of the communal areas of the development in the interests of visual and residential amenity and to comply with the National Planning Policy Framework 2024, Policies CS2 and C19 of the Knowsley Local Plan Core Strategy (2016)

7. The Travel Plan approved pursuant to Condition 10 attached to planning permission 20/00376/OUT shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, having regard to Policies CS7 and T9 of the Knowsley Local Plan, Core Strategy, adopted January 2016.

8. The surface water drainage scheme shall be implemented in accordance with the details approved pursuant to Condition 11 attached to planning permission 20/00376/OUT. (Surface & foul Water Drainage Strategy dated 25/08/2023). The agreed scheme shall be implemented in full prior to the first occupation of the development.

The agreed scheme shall connect to the existing site-wide drainage infrastructure as shown on the following drawings approved pursuant to condition 21 attached to planning permission 18/00062/HYB.

- Drawing no. 066658 CUR 00 XX DR D 72108 rev P01 - Catchment Area Plan
- Drawing no. 066658-CUR-00-XX-DR-D-72102-C02_Spine Road - Detailed Drainage Layout Sheet 2 of 2
- Drawing no. 066658-CUR-00-XX-DR-D-72101-C02_Spine Road - Detailed Drainage Layout Sheet 1 of 2

The surface water discharge rate must be restricted to a discharge rate of 66.6l/s.

Reason: To prevent increased risk of flooding by ensuring the satisfactory storage of 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.

9. The proposal shall be carried out in accordance with the Management and Maintenance Plan set out within:

Sustainable Drainage Operation & Maintenance Manual - rev V02 - 6 April 2018 (066658-CUR-00-XX-SC-C-00001_SuDS Maintenance Strategy Document) Approved subject to condition 22 pursuant to planning permission 18/00062/HYB.

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).

10. The development hereby permitted shall be undertaken in accordance with:

- Remediation Strategy Letter Report for Commercial Development on Land at Knowsley Lane Farm, Knowsley (Earlsfield), including:

- Curtins reply to MEAS Objection for Land at Knowsley Lane, Knowsley (Earlsfield) 21st March 2018 Ref 065395.000-CUR-00-XX-CO-GE-001-V01
- Curtins reply to MEAS Development Advice for Land at Knowsley Lane, Knowsley (Earlsfield) 1st May 2018 Ref 065395.000-CUR-00-XX-CO-GE-002-V0
- Curtins reply to MEAS Development Advice for Land at Knowsley Lane, Knowsley (Earlsfield) 9th May 2018 Ref 065395.000-CUR-00-XX-CO-GE-002-V02
- Curtins (18 December 2018) Geophysical Mine Entry Letter Report 065395.001-CUR-00-XX-RP-GE- 001-V01
- Curtins (17 January 2018) Phase 1 Preliminary Site Assessment, Earlsfield Park, Knowsley for Bellway homes Ltd/ION Developments Ref: 065395-CUR-00-XXRP-GE-001-V04Revision V04
- Curtins (12 February 2018) Coal Mining Risk Assessment, Earlsfield Park, Knowsley for Bellway Homes Ltd/ION Developments Ref 065395-CUR-00-XX-RPGE-002-V03 Revision V03
- Curtins (12 February 2018) Coal Mining Risk Ground Investigation Report, Earlsfield Park, Knowsley for Bellway Homes Ltd/ ION Developments Ref: 065395CUR-00-XX-RP-GE-003 V04 Revision V04
- Curtins (18 January 2018) Phase 2 Ground Investigation Report - Commercial for Earlsfield Park, Knowsley for Bellway Homes Ltd/ ION Developments Ref: 065395-CUR-00-XX-RP-GE-005-V02 Revision V02
- Letter from Curtins dated 9th May 2019. Ref. 065395.007-CUR-00-XX-COGE-00001-V01
- Letter from E3P to Marshall Construction (West Yorkshire) Ltd dated 30th October 2024, titled VALIDATION STATEMENT DEVELOPMENT AND CONSTRUCTION EARLSFIELD PARK, HUYTON and referenced 17-300-L2-1
- Letter from E3P to Marshall Construction (West Yorkshire) Ltd dated 19th January 2024, titled REMEDIATION STRATEGY UNIT 2-6 EARLSFIELD PARK, KNOWSLEY, and referenced 17300-L1-2

Reporting of Unexpected Contamination

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.

Importation of Soil/Material

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 the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

11. Piling or any other foundation design using penetrative methods shall be undertaken in accordance with the details approved pursuant to condition 15 attached to planning permission 20/00376/OUT.

Reason: To prevent any risk to the public and general pollution of the environment and in accordance with Policy CS2 in the Knowsley Local Plan Core Strategy and saved policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

12. The development hereby permitted shall be undertaken in accordance with the following approved documents pursuant to condition 39 of planning permission 18/00062/HYB:

Remediation Strategy Letter Report for Commercial Development on Land at Knowsley Lane Farm, Knowsley (Earlsfield), Drawing no. 065395-CUR-00-XX-DR-D-72001 V02, drawing no. 065395-CUR-00-XX-DR-D-72000 V02, and the following document approved pursuant to condition 16 attached to planning permission 20/00376/OUT - Shallow Coal Mine Workings Completion Report (3 May 2023, prepared by Curtins)

Reason: To ensure that the proposed development can be delivered without the site's coal mining legacy adversely affecting the stability of the site.

13. 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 on Knowsley Lane, Highfield Crescent and Fountain Way.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

14. The level of noise emitted from activities associated with the site shall not exceed the existing LA90 background noise level as set out within the Noise Impact Assessment submitted with the application (AC103830-1R13) and as measured at the following times:

- LAeq (1 hour) between 0700-2300
- LAeq (15 mins) between 2300-0700

Noise limits are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property on Knowsley Lane, Fountain Way and Highfield Crescent.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

15. Prior to the first occupation of each unit, a detailed operational management and noise mitigation plan (based upon the approved framework operational management and noise mitigation plan approved pursuant to condition 19 attached to 20/00376/OUT) shall be submitted to and agreed in writing with the local planning authority. The unit shall then be operated in accordance with the agreed detailed operational management and noise mitigation plan and any physical works required shall be implemented before the first use of the unit they relate to, shall be retained as such thereafter and maintained in accordance with the manufacturer's specification.

Reason: To ensure that the proposed development does not have a significant adverse effect on the amenity of neighbouring residents through causing unacceptable noise and disturbance - in particular through HGVs servicing the properties causing excessive noise at the access junction into the site during the evening and night time period and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

16. The reasonable avoidance measures approved pursuant to condition 20 attached to planning permission 20/00376/OUT shall be implemented and retained at all times until the development is completed.

Reason: To ensure that adequate protection is afforded to Pond 1 during the construction period and to ensure compliance with policy CS8 in the Knowsley Local Plan Core Strategy.

17. The external lighting to be installed on the site shall be completed in accordance with the details submitted pursuant to condition 21 attached to planning permission 20/00376/OUT and retained as such at all times thereafter.

Reason: To ensure that the impacts of lighting on amenity, highway safety and Ecology are minimised and to ensure compliance with policy CS8 in the Knowsley Local Plan Core Strategy and Saved Policy ENV3 in the Replacement Unitary Development Plan.

18. No drainage from the proposed development shall connect into the motorway drainage system, nor shall any drainage from the site run-off onto the M57 motorway.

Reason: To ensure that the safety and integrity of the M57 motorway is not compromised.

19. The foul water drainage scheme approved pursuant to condition 25 attached to planning permission 20/00376/OUT shall be implemented in accordance with the approved scheme and retained as such at all times thereafter.

Reason: To ensure that adequate foul water drainage is provided to serve the proposed development and to ensure compliance with policy CS24 in the Local Plan, Core Strategy.

20. The buildings hereby approved shall only be used for the following purposes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended):

- Class E (g) comprising
 - i. office
 - ii. the research and development of products or processes or
 - iii. any industrial process, (which can be carried out in any residential area without detriment to the amenity of that area)

or

 - Class B8 comprising storage or distribution

In the case of Unit 3 ONLY - Class F1 a) for the provision of education.

Reason: For the avoidance of doubt and to ensure that the development is only used for the uses that were applied for and to enable the Local Planning Authority to assess any proposal for a further use, whether or not it falls within the same Use Class and to comply with CS7 & CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016

21. 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/12/2020	3030-KL-RYD00-ZZ-DR-A3031-A	C4	SITE LOCATION PLAN
07/12/2020	066658-CUR-00XX-DR-C-95001	P07	S278 SITE ACCESS GENERAL ARRANGEMENT
06/07/2020	P.705.16	-	ECOLOGICAL APPRAISAL
06/07/2020	P2349	04	FLOOD RISK ASSESSMENT
06/07/2020	P705.16	-	BAT AND BIRD BOX COMPENSATION AND ENHANCEMENT PLAN
12/02/2025	M3167-114	REV A	CYCLE STORAGE
27/12/2024	-	-	Planning and Operational Need Statement

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

CS2 - Development Principles

CS4 - Economy and Employment

CS7 - Transport Networks

SUE1 - Sustainable Urban Extensions and Safeguarded Land

SUE2 - Sustainable Urban Extensions - Development Principles

SUE2a - Sustainable Urban Extensions - Knowsley Lane

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

EC2 - Sites Allocated for Employment Development

ENV2 - Noise and Vibration

National Planning Policy Framework

Earlsfield Park (Knowsley Lane SUE) Draft SPD (2017)

Ensuring a Choice of Travel SPD (2010)

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 (Mark Quinn on 0151 443 2223)

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.

Informative

1. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such

features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026

2. See consultation response from Coal Authority (attached to 20/00376/OUT)
3. See consultation response from United Utilities (attached to 20/00376/OUT)
4. See Consultation response from Merseyside Fire Authority (attached to 20/00376/OUT)



Executive Director - Regeneration and Economic Development

Date: 13 March 2025

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.