



**Knowsley Council**

**REGENERATION AND ECONOMIC  
DEVELOPMENT DEPARTMENT**

**TOWN AND COUNTRY PLANNING ACT 1990**

## **APPROVAL OF RESERVED MATTERS**

**Application No: 23/01429/REM**

**Name and address of applicant**

CDP  
Marshall House  
Huddersfield Road  
Elland  
HX5 9BW

**Name and address of agent**

**Date of Receipt:** 21 June 2023

**Date Valid:** 24 July 2023

**Address/Location Of Development**

Plots 2-6 Earlsfield Park  
Land At Knowsley Lane  
Huyton  
Knowsley  
L34 4AH

**Description of Development**

**APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO  
OUTLINE 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) - APPROVAL SOUGHT FOR APPEARANCE, LANDSCAPING,  
LAYOUT AND SCALE**

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Reserved Matters Approval 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 hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. Prior to the first occupation of each unit full details of waste/recycling storage areas and associated collection/management arrangements shall be submitted to and approved in writing by the Local Planning Authority. The storage areas shall be installed and waste collected /managed in accordance with the approved details.

Reason: To ensure satisfactory waste/recycling facilities are provided for each unit to ensure compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan .

3. Prior to the occupation of each unit full details of covered cycle storage areas for each unit shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be installed in accordance with the approved details prior to the first occupation of the respective unit.

Reason: To ensure adequate cycle storage facilities are provided for each unit in the interests of sustainable travel and to ensure compliance with Policy CS7 in the Knowsley Local Plan Core Strategy.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the premises to which this permission relates shall be used only for any use falling within Use Classes E parts (g) (ii) (iii) and Use Class B8 and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: 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

5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including the retained woodland area to the northern boundary) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

The landscape management plan shall be implemented as approved before the development is occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority.

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.

6. No part of the development hereby permitted shall be commenced until: -

At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in the

Arboriculture Impact Assessment Drg AIA01 Rev A shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

## **SCHEDULE 1**

| <b>Date Received</b> | <b>Ref. No</b> | <b>Version</b>             | <b>Drawing/Document Title</b>   |
|----------------------|----------------|----------------------------|---------------------------------|
| 20/11/2023           | M3167-(2)-201  | REV A                      | ELEVATIONS AND MATERIALS UNIT 2 |
| 20/11/2023           | M3167-106      | REV A                      | FENCING LAYOUT                  |
| 20/11/2023           | M3167-(5)-201  | REV A                      | ELEVATIONS AND MATERIALS UNIT 5 |
| 20/11/2023           | SF 3422 LL01   | REV D                      | LANDSCAPING UNIT 2              |
| 16/11/2023           | M3167-(6)-201  | -                          | ELEVATIONS AND MATERIALS UNIT 6 |
| 16/11/2023           | M3167-(4)-200  | -                          | ELEVATIONS AND MATERIALS UNIT 4 |
| 15/11/2023           | SF 3422 LL03   | REV C                      | LANDSCAPING UNIT 4              |
| 16/11/2023           | M3167-(3)-201  | -                          | ELEVATIONS AND MATERIALS UNIT 3 |
| 15/11/2023           | SF 3422 LL05   | REV C                      | LANDSCAPING UNIT 6              |
| 15/11/2023           | SF 3422 LL04   | REV C                      | LANDSCAPING UNIT 5              |
| 15/11/2023           | SF 3422 LL02   | REV D                      | LANDSCAPING UNIT 3              |
| 09/11/2023           | -              | -                          | PHOTO FACING BRICK              |
| 24/10/2023           | M3167-104      | (REV B)<br>(SHEET 3 OF 6). | SITE SECTIONS SHEET 3           |
| 24/10/2023           | M3167-104      | (REV B)<br>(SHEET 6 OF 6)  | SITE SECTIONS SHEET 6           |

|            |                        |                              |                                                             |
|------------|------------------------|------------------------------|-------------------------------------------------------------|
| 24/10/2023 | M3167-104              | REV B)<br>(SHEET<br>5 OF 6). | SITE SECTIONS SHEET 5                                       |
| 24/10/2023 | M3167-104              | REV B)<br>(SHEET<br>4 OF 6)  | SITE SECTIONS SHEET 4                                       |
| 24/10/2023 | M3167-104              | (REV B)<br>(SHEET<br>2 OF 6  | SITE SECTIONS SHEET 2                                       |
| 24/10/2023 | M3167-104              | (REV B)<br>SHEET<br>1 OF 6   | SITE SECTIONS SHEET 1                                       |
| 20/11/2023 | M3167-100              | REV M                        | PROPOSED SITE LAYOUT                                        |
| 04/10/2023 | -                      | -                            | AMENDED DOCUMENT RELATING<br>TO CONDITION 19 - 20/00376/OUT |
| 04/10/2023 | -                      | -                            | IMAGE OF RETENTION SYSTEM                                   |
| 27/06/2023 | M3167-(2)-100          | -                            | UNIT 2 - FLOOR PLAN LAYOUT                                  |
| 27/06/2023 | M3167-(2)-101          | -                            | UNIT 2 - ROOF PLAN                                          |
| 27/06/2023 | M3167-(3)-100          | REV A                        | UNIT 3 FLOOR LAYOUT                                         |
| 27/06/2023 | M3167-(3)-101          | -                            | UNIT 3 ROOF PLAN                                            |
| 27/06/2023 | M3167-(4)-100          | -                            | UNIT 4 - FLOOR PLAN LAYOUT                                  |
| 27/06/2023 | M3167-(4)-101          | -                            | UNIT 4 - ROOF PLAN                                          |
| 27/06/2023 | M3167-(5)-100<br>REV B | -                            | UNIT 5 - FLOOR PLAN LAYOUT                                  |
| 27/06/2023 | M3167-(5)-101          | -                            | UNIT 5 - ROOF PLAN                                          |
| 27/06/2023 | M3167-(6)-100          | -                            | UNIT 6 - FLOOR PLAN LAYOUT                                  |
| 27/06/2023 | M3167-(6)-101          | -                            | UNIT 6 - ROOF PLAN                                          |
| 27/06/2023 | M3167-108              | REV A                        | LOCATION PLAN                                               |
| 27/06/2023 | AIA01                  | REV A                        | ARBORICULTURAL IMPACT<br>ASSESSMENT                         |

#### **REASON(S) FOR THE GRANTING OF PLANNING PERMISSION**

The decision to grant Reserved Matters 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

SUE2a – Sustainable Urban Extensions – Knowsley Lane

CS19 – Design Quality & Accessibility in New Development

CS21 – Greenspaces and Trees

## **SAVED POLICIES – KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)**

DQ4 – Trees and Development

ENV2 – Noise and Vibration

This informative is only intended as a summary of the reason(s) for the granting of Reserved Matters. Should you require any further details relating to the decision please contact the relevant case officer (Mark Quinn on 0151 443 2381)

### **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.

**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.

The proposed development lies within an area that has been defined by the Coal 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 Coal 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 that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal 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. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Informative Note valid from 1st January 2023 until 31st December 2024

**Executive Director - Regeneration and Economic Development**

**Date: 8 December 2023**

### **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. 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.**

### **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.