

Clare Appleyard
Knowsley Metropolitan Borough Council
PO Box
26 Archway Road
Huyton
L36 9FB

Our ref: DPA/JFAR/U0008399

Your ref: 20/00494/HYB

16 April 2025

Dear Clare,

Section 96A, Town and Country Planning Act 1990 (as amended) Submission of a Non-Material Amendment: 20/00494/HYB - Symmetry Park, Merseyside

Please find enclosed an application for a non-material amendment submitted on behalf of our client, Tritax Symmetry Merseyside 1 Limited ("the Applicant"), in accordance with Section 96A of the Town and Country Planning Act 1990 (as amended).

The application can be described as:

"Non-material amendment to remove condition 39 (Tarbock Island restriction) attached to hybrid permission 20/00494/HYB"

The application has been submitted electronically via the Planning Portal (reference: PP-13947218).

A payment in the amount of £298.00 has been made to Knowsley Metropolitan Borough Council via the Planning Portal, this being the requisite fee in this instance.

As this application is for a non-material amendment to the approved planning permission 20/00494/HYB ("the hybrid permission"), the original and approved site location plan has been submitted.

Background

The hybrid permission was granted on 04 March 2022 for the redevelopment of the former Cronton Colliery comprising the following description of development:

"Hybrid planning application comprising: Full application for the development of 161,900 sqft (15,041 sqm) (GIA) of storage and distribution floorspace (Use Class B8), including ancillary offices (Use Class B1), security gatehouse, site access road, engineering earthworks to form a part country park, public car park to serve country park, and associated works; and outline

application with details of point of access (details of part-access, landscaping, appearance, scale and layout are reserved) for the development of up to 838,100 sqft (77,862 sqm) (GIA) of storage and distribution floorspace (Use Class B8), with ancillary offices and light industrial (Use Class B1); engineering earthworks to form country park and drainage attenuation ponds; pedestrian / cycle / equestrian route connection existing M62 footbridge with proposed country park; and associated works.” (reference: 20/00494/HYB).”

The hybrid permission included planning condition 39, which imposes restrictions on the total amount of floorspace related to any reserved matters application that can be brought into use prior to the completion of the Tarbock Island junction improvement works. Tarbock Island is located to the west of Symmetry Park and provides access to the M62 (Junction 6).

The wording of condition 39 was previously amended under NMA reference 20/00494/NMA1 to increase the permissible amount of floorspace that can be occupied once the Tarbock works commence from 17,000sq.m to 25,548 sqm (275,000 sq. Ft). This amendment will allow the occupation of unit 02 in the outline area of the hybrid permission without restriction (reference: 23/01949/REM).

The current wording of condition 39, reflecting the previous NMA, is as follows:

“No more than ~~17,000~~ 25,548 square metres of floorspace subsequently approved as part of any reserved matters application shall be first brought into use until upcoming junction improvements to Tarbock Island have been commenced to the written satisfaction of the Local Planning Authority. The remaining floorspace approved as part of any reserved matters application shall be first brought into use until upcoming junction improvements to Tarbock Island have been implemented to the written satisfaction of the Local Planning Authority.”

Proposed Non-Material Amendment

A reserved matters application for the development of units 03 and 04 (“RM3”) was approved by planning committee and the decision notice is expected to be issued imminently (reference: 24/00145/REM).

As currently worded, condition 39 restricts the occupation of units 03 and 04 until “*upcoming junction improvements to Tarbock Island have been implemented to the written satisfaction of the Local Planning Authority*”.

It is noted that a similar restrictive condition is not applied to the neighbouring MARO planning permission (reference: 22/00587/FUL), which was approved recently on 18 March 2025 for the development of one commercial unit comprising 29,081 sqm (313,028 sq. ft) of floorspace.

The inconsistency between the two permissions indicates the need to reconsider condition 39. The Council's decision not to apply this condition to a similarly sized commercial development suggests that the condition is no longer necessary.

As such, this non-material amendment application seeks to remove condition 39 from the hybrid permission, which will subsequently allow the occupation of units 03 and 04. The principle of removing this condition has previously been agreed with the Council (Kevin Foster and Clare Appleyard) during previous meetings relating to the hybrid permission.

I trust that the above information is sufficient for the Council to determine this NMA within the statutory period; however, should you require any additional information or wish to discuss the proposal further, please contact myself or Jodie Farnill of this office.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'DP', with a long horizontal flourish extending to the right.

Dominic Page
Partner

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