



Knowsley Council

Tritax Symmetry Merseyside 1 Limited
c/o Jenna Wilks - Gerald Eve
1 Marsden Street
Manchester
M2 1HW

Our Ref: 23/01949/NMA

Date: 5 November 2024

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED) SECTION 96A APPLICATION FOR NON-MATERIAL CHANGE TO PLANNING PERMISSION

LOCATION: Site Of Cronton Colliery, Cronton Road, Cronton, Knowsley, L35 1QR

I refer to your application for a non material amendment which was received on the 16 July 2024. The proposed amendment(s) as listed below have been considered under s96A of the Town and Country Planning Act 1990 and have been determined to be non material.

KNOWSLEY MBC HEREBY GRANTS PERMISSION FOR THE FOLLOWING NON-MATERIAL AMENDMENT(S):- NON MATERIAL AMENDMENT TO APPLICATION 23/01949/REM TO ALLOW FOR MINOR AMENDMENTS TO THE APPROVED PLANS INCLUDING MINOR CHANGES TO THE HEIGHT, FLOOR AREA AND SITING OF UNIT 02, LAYOUT ALTERATIONS AND CHANGES TO HARD AND SOFT LANDSCAPING

The plan(s) listed below are those approved. The development must be undertaken in accordance with the approved plans on the original application, except where amended by those below, including any conditions attached to that permission. No substitution should be made without the prior consent from the Local Planning Authority. Failure to adhere to the details of the approved plans or to comply with the conditions on the original planning permission constitutes a contravention of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.

The proposed amendments listed above are approved subject to the following condition(s):-

1. The development hereby permitted shall be carried out in accordance with the approved plans listed below which are hereby approved by this Non-Material Amendment application, listed within Schedule 1, and the remaining plans/documents approved under condition 1 of 23/01949/REM.

Approved Plan(s):-

SCHEDULE 1

- Location Plan drawing number 22604-UMC-XXSI-SI-DR-A 0601 Rev P06
- Unit 02 Cycle Shelter Details drawing no. 22604 - UMC- SI02 - DR - A 0703 REV P05
- Soft Landscape Schedule (planting specification) Document number ENZ.00.XX.SH.L.45.001 REV PL08



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- Planting Plan drawing no. MAN.1453.007.ENZ.XX.00.DR.L.45.002 PL09
- Phase 2 Country Park Cut and Fill drawing no. L005-TIE-ZZ-XX-DR-C-6040 REV P3
- Proposed Levels Mineshaft Lowered drawing no. T_18_2126-60-53 REV T12
- Unit 02 Site Plan drawing no. 22604 - UMC - SI02 -SI - DR - A 0603 REV 12
- Illustrative Masterplan drawing no. 22604 - UMC - XXSI - SI - DR - A 0602 REV P15
- Unit 02 Indicative Sprinkler Tank and Pump House Details drawing no. 22604 - UMC - S102 - SI - DR -A 0705 P06
- Unit 02 Bin Store Details drawing no. 22604 - UMC - SI102 - DR - A 0704 P05
- Unit 02 Fencing Details drawing no. 22604 - UMC -S102 - DR - A 0702 P06
- Unit 02 External Finishes Plan drawing no. 22604 - UMC - SI02 - DR - A 0701 P10
- Unit 02 Gatehouse Details drawing number 22604 - UMC - 0002 - SI - DR - A - 0801 P05
- Unit 02 Elevations drawing no. 22604 - UMC - 0002 - ZZ - DR - A 1301 P04
- Unit 02 Typical Building Sections drawing no. 22604 - UMC - 0002 - ZZ - DR - A 1101 P03
- Unit 02 Office Plans drawing no. 22604 - UMC - 0002 - ZZ - DR - A 1002 P04
- Unit 02 Roof Plan drawing no. 22604 - UMC - 0002 - RF - DR - A 1003 P03
- Unit 02 Building Plan drawing no. 22604 - UMC - 0002 - DR - A 1001 P04

Reason: For the avoidance of doubt.

2. Condition 2 of 23/01949/REM is amended to:

The hard landscaping around Unit 02 shall be undertaken in accordance with the External Finishes Plan, drawing no. 22604-UMC-XXXX-SI-DR-A-0701 REV P10, and these hard landscaped areas shall be fully laid out and completed prior to first occupation of unit 02 hereby permitted. Prior to first occupation, a detailed regime for the ongoing and longer-term management/maintenance of all landscaped areas (for a ten-year period) shall be submitted to and approved in writing by the local planning authority. The landscaped areas shall be managed/maintained in accordance with the approved details.

The soft landscaping shall be managed/maintained in accordance with the approved Landscape Specification document (reference MAN.1453.008.ENZ.RP.L.45.001) and shall include the use of slow release fertiliser which shall include use of fertiliser tablets incorporated 200mm deep with the backfill when pit planting or 200mm deep into a notch and evenly distributed around each plant on the following basis, unless such amended fertiliser schedule is otherwise submitted to and approved in writing by the Local Planning Authority:

- 1 Nr tablet for plants up to 1 Ltr.
- 2 Nr tablets for plants up to 3 Ltrs.
- 3 Nr tablets for plants up to 5 Ltrs.
- 4 Nr tablets for plants up to 10 Ltrs.
- 5 Nr tablets for plants up to 15 Ltrs.

The landscaping of unit 02 shall be undertaken in accordance with the Planting Plan, drawing no. MAN.1453.007.ENZ.XX.00.DR.L.45.002 REV PL09 and the Soft Landscape Schedule reference ENV.00.XX.SH.L.45.001 REV PL08 and shall include the remediation mix being planted at 2m centres.

The approved soft landscaping works shall be implemented and completed prior to first occupation of unit 02 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.

3. Condition 5 of 23/01949/REM is amended to:

The development hereby permitted shall only be constructed in accordance with the approved materials set out on approved plan reference 22604-UMC-XXXX-ZZ-DR-A-1301 P04 entitled 'Elevations'.

Reason: To ensure the building is of acceptable appearance in the interests of protecting visual amenity.

4. Condition 6 of 23/01949/REM is amended to:

The fencing and gates shown on plan reference 22604-UMC-SI02-DR-A-0702 REV P06 entitled 'Unit 02 Fencing Details' are hereby approved. Any additional boundary treatments for Unit 02, including retaining structures shall be submitted to and approved in writing by the Local Planning Authority before Unit 02 is first occupied. The agreed details shall be implemented in full before the first occupation of Unit 02.

Reason: To ensure the provision of acceptable boundary treatment to the site.
Condition 7 of 23/01949/REM is amended to:

5. The cycle shelters shall be constructed in accordance with the approved elevation plan reference 22604-UMC-SI02-DR-A-0703 P05. Prior to their erection full details of how non-standard cycles can be accommodated within the shelter(s) shall be submitted to and approved in writing by the Local Planning Authority and the cycle shelter(s) shall then make provision for the non-standard cycle parking in accordance with the approved details. Prior to the erection of the cycle shelters, the external finish shall be submitted to and approved in writing by the local planning authority. The cycle shelters shall then be constructed in accordance with the approved external finish prior to first occupation of unit 2 hereby permitted.

Reason: To promote sustainable transport modes and to provide cycle shelter facilities suitable for a range of cycle types including nonstandard cycles to accommodate people with mobility impairments.

6. Conditions 3, 4, 8, 9, 10 and 11 of 23/01949/REM still apply.

Please note that this is not a decision under Building Regulations and separate consent may be required. Please contact Building Control for more information.

Yours faithfully



Executive Director - Regeneration and Economic Development

Informatives

1. 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

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

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

2. Reasons for Granting Planning Permission

The decision to grant this non-material amendment has also been taken having regard to the policies and proposals set out below and to all materials planning considerations, including supplementary planning guidance:

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

T5 - Location of Major Traffic Generating New Development

T7 - New Development and Walking & Cycling Routes

T8 - Transport Assessments

T9 - Travel Plans

DQ2 - Security in the Built Environment

DQ4 - Trees and Development

ENV2 - Noise and Vibration

ENV3 - Light and Pollution

ENV5 - Contaminated Land

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development

CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS4 - Economy and Employment
CS7 - Transport Networks
CS8 - Green Infrastructure
SUE1 - Sustainable Urban Extensions and Safeguarded Land
SUE2 - Sustainable Urban Extensions - Development Principles
SUE2c - Sustainable Urban Extensions - South of Whiston and Land South of M62
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment
CS21 - Greenspaces and Trees
CS24 - Managing Flood Risk
CS26 - Waste Management
CS27 - Planning for and Paying for New Infrastructure

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)
Halsnead Garden Village Masterplan SPD

Merseyside Waste Local Plan (2013)

WM8 - Waste Prevention and Resource Management
WM9 - Sustainable Waste Management Design and Layout for New Development

This informative is only intended as a summary of the reasons for granting this NMA. Should you require any further details relating to the decision, please contact Kevin Foster on 0151 443 2893.

3. 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.