

<u>APPLICATION NO:</u>	25/00424/COU	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	1 Cables Retail Park, Steley Way, Prescot, Knowsley, L34 5NQ		
<u>PROPOSAL:</u>	CHANGE OF USE OF EXISTING MEZZANINE USE CLASS E (RETAIL) TO BE USED AS A 24-HOUR GYM (USE CLASS E)		

Site Description

The application site is a large Tesco supermarket on Cables Retail Park at Steeley Way, Prescot. The application relates to a 1st floor mezzanine area on the western end of the Tesco supermarket facing Sewell Street. There are residential dwellings to the west, a roundabout to the south and other retail units and a car park to the east.

Proposal

The proposal is for the change of use of existing mezzanine use Class E (Retail) to be used as a 24 Hour Gym (Use Class E). The gym floorspace area would be 1220sqm. No external changes are proposed as part of the current application. The gym would be accessed via an existing access of Sewell Street which is independent of the Tesco Store.

Consultations

Environmental Health - No objection subject to conditions for operational noise / vibration and fixed plant noise and construction hours.

Highways - No objection subject to cycle parking.

Representations

This application has been publicised by a site and press notice, and by letters sent to 81 neighbours.

One representation has been received from the public, consisting of the following main points:

- I am concerned about privacy from gym users as the existing film has been removed.
- I am concerned about lighting glaring into our property.

In addition, Councillor Wynn has raised concerns over the structural safety of the gym and stated that it would be better if the gym would be located in Prescot Town Centre.

Planning History

A related Advert application has yet to be determined - 25/00450/ADV - Display of advertisement signage comprising of - 2 no. vinyl graphic non illuminated signs & 1 no. internally illuminated fascia sign to front elevation together with 2 no. internally illuminated fascia signs & 9 no. vinyl graphic non illuminated signs to side elevation and 2 no. non illuminated vinyl graphics to existing totem signs.

A related planning application for external changes has yet to be determined - 25/00325/FUL - Replacement of existing side entrance doors and installation of 5 air condenser units and 7 louvres to the rear elevation.

A planning application restricted permitted development rights at the site for changes of use to the mezzanine:

10/00175/FUL- Variation of condition no's 2, 6, 7, 8, 12, 14, 16, 19 and 20 attached to planning permission 07/00339/FUL to take account of alterations to site layout, alterations to external elevations and internal floor layout – approved -25.01.2011.

10. The mezzanine floor retail sales area (as detailed on drawing no. 6823 - P03 Rev E received on 25 March 2010) shall be used for the sale of non-food comparison goods only unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring strong links with Prescott Town Centre in order to protect the vitality and viability of the same and to comply with Saved Policy S5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles Policy

CS7 - Transport Networks

CS13 - Principal Regeneration Area – South Prescott

CS19 - Design Quality and Accessibility in New Development

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

ENV2 - Noise and Vibration

ENV3 - Light Pollution

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.

Assessment

Principle of Development

The application site is situated within a Principal Regeneration Area – South Prescott. Core Strategy Policy CS13 states that the comprehensive redevelopment of the South Prescott Principal Regeneration Area for mixed uses on previously developed land will be supported where it provides:

a) New economic development, including development of high quality Class B1 'Business' uses in gateway sites on Carr Lane and Manchester Road (subject to compliance with the sequential test in Policy CS4);

As the existing use of the site is for Class E (Commercial, Business and Service) and there would be no change of use*, a sequential assessment is not required. As a result, the proposal complies with Core Strategy Policy CS13 and is considered acceptable in principle.

**Planning permission is required due to a planning condition that restricts permitted development rights on a previous application (10/00175/FUL).*

Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to

avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

Loss of Light / Outlook

The nearest dwellings would be 23 metres away on Sewell Street. There would be no external changes with the current application. As a result, there would be no harm to neighbour amenity from loss of light or outlook.

Privacy

In relation to privacy the occupiers have started removing the existing vinyls and will replace with their own vinyls which typically comprise stripes and roundels. There is no indication that the privacy impact from the proposal will be worse than the existing situation. In addition, the distance between the building and nearest residential property is greater than the 22metres standard for housing which implies that homes more than 22 metres away will not suffer from significant privacy impacts.

Lighting

In relation to lighting the gym will install sensors on every light so when a part of the gym is not being used it will be dimmed to a low level and will turn off after 5 minutes. Therefore, the level of light is likely to be low after 10pm. There is currently no restrictions on lighting at first floor and the proposal would not materially worsen any lighting impacts on residents.

Noise

In relation to noise impacts, plant and operations noise assessments have been produced which demonstrate that the proposal would not cause adverse noise impacts on neighbours provided appropriate mitigation measures were implemented.

The measures include attenuation on exhaust ducts, a solid barrier around the condenser units, floor coverings in the gym (to control re-radiated noise levels) and resilient mounts for speakers. These measures shall be secured through planning condition. A condition to restrict construction hours is not needed as no construction would take place.

Overall, the proposal will not cause harmful noise impact on neighbours. This is supported by Environmental Health who have no objection to the development.

Overall, the proposal will not result in harm to neighbour amenity and the proposal complies with Core Strategy Policy CS19.

Highways

NPPF para 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be

severe, taking into account all reasonable future scenarios.

In relation to highway safety, the site is located within the Tesco Cables Retail Park, which benefits from an extensive, well lit car park and is well served by both bus and rail services, providing good opportunities for access by sustainable transport modes. There is also a large amount of car parking spaces. Access to the site would be via existing doors off Sewell Street which is independent of the Tesco access. It is understood that the access doors are proposed to be changed under application (25/00325/FUL).

The proposed gym use is not expected to generate highway safety issues and the distribution of trips across a 24-hour period will avoid conflict with peak retail demand. However, long stay cycle parking is required and can be secured via condition.

Overall, the level of parking is considered sufficient for the proposed use and would not cause significant harm to highway safety. This is supported by the council's highways department who have no objection to the proposal subject to a condition to secure cycle parking.

Other Considerations

In relation to structural safety, this would be a building control rather than a planning matter.

Conclusion

The proposal would be acceptable in principle and in relation to neighbour amenity and highway safety. The application complies with local planning policies and is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions.

- 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) Cycle Parking

The proposed development shall be brought into use until a minimum of 4 secure, covered long stay cycle parking spaces for staff has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016

4) Noise

The development hereby approved shall be operated in accordance with the noise levels and mitigation measures detailed in the following noise assessments, and in the email from Jonathan Wadcock, dated 18/08/2025:

Noise assessment

- Anderson Acoustics, Operational Noise Assessment, Pure Gym Prescott, August 2025. Reference, 8057_003R_2-0_JN_OP_NOISE_BREAKOUT

The mitigation measures identified, including attenuation on floor coverings in the gym (to control re-radiated noise levels) and resilient mounts for speakers, shall be fully implemented prior to the first use of the development and shall be retained and maintained for the lifetime of the development.

At no time shall the noise emissions from the development exceed the levels specified in the assessments at the identified receptor locations.

Reason: To prevent harmful noise impacts on residents.

5) Lighting

The lighting measures specified in the email dated 4/9/25 shall be implemented. ie sensors shall be used to dim and then turn off any lights when they are not in use.

Reason: In order to minimise lighting impacts on residents.

<u>Signed Case Officer¹:</u>	<u>Andrew Hunt</u>
<u>Signed Authorising Officer²:</u>	<u>Jo Sheridan</u>
	<u>22/09/2025</u>
<u>Date:</u>	

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

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
11/07/2025	2450-XX-001-GA-P01	-	Proposed Floor Plans and Mezzanine
11/07/2025	006-SLP	P01	Block and Location Plan

Informatives

N/A