



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00492/FUL

Name and address of applicant

Square Dot Consulting Limited
180 Sutton Road
Walsall
WS5 3AH
United Kingdom

Name and address of agent

Date of Receipt: 19 September 2024

Date Valid: 23 September 2024

Address/Location Of Development:

**Self Pick Veg
66 Eccleston Street
Prescot
Knowsley
L34 5QL**

Description of Development:

**VARIATION OF CONDITION 6 TO PLANNING PERMISSION 24/00038/COU
(CHANGE OF USE FROM THE EXISTING CLASS E(A) TO HOT FOOD
TAKEAWAY (SUI GENERIS), ALONG WITH INSTALLATION OF AN EXTERNAL
EXTRACTION FLUE TO THE REAR OF THE PREMISES) TO ALLOW OPENING
HOURS OF 08:00 TO 00:00 MONDAY TO SATURDAY AND 10:00 TO 00:00 ON
SUNDAY**

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. The development hereby permitted must begin no later than 18th April 2027.

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 following approved plans and documents:

LOCATION PLAN (dwg no. 2466-01 - received 29.01.2024)
BLOCK PLAN (dwg no. 2466-02 - received 29.01.2024)
PROPOSED SECTIONS (dwg no. 2466-07A - received 01.02.2024)
PROPOSED ELEVATIONS (dwg no. 2466-06A - received 01.02.2024)
PROPOSED FLOOR PLANS (dwg no. 2466-04A - received 01.02.2024)
ODOUR CONTROL RISK ASSESSMENT (received 01.02.2024)

Reason: For the avoidance of doubt.

3. The extraction vent shall be finished in black paint to reduce the visual impact of the development.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy (Adopted January 2016), Saved Policy H8 of the Knowsley Replacement Unitary Development Plan (Adopted in June 2006) and the National Planning Policy Framework.

4. Deliveries to the premises and refuse collections from the premises and associated external areas shall only take place between the hours of: 08:00 to 18:00 Monday to Saturday and 09:00 to 18:00 Sundays and Public/Bank Holidays

Reason: To safeguard the amenities of nearby residents and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy (Adopted January 2016), Saved Policy S2 and ENV2 of the Knowsley Replacement Unitary Development Plan (Adopted June 2006) and the National Planning Policy Framework.

5. No public access or egress (except in an emergency) shall take place from the rear of the premises.

Reason: To safeguard the amenities of nearby residents and to comply with Policy CS2 and CS19 of the Knowsley Local Plan Core Strategy (Adopted January 2016), Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan (Adopted June 2006) and the National Planning Policy Framework.

6. The hot food takeaway shall not be open to customers (and shall not operate a takeaway service) outside the hours of 08:00 to 00:00 from Monday to Saturday and 10:00 to 00:00 on Sundays/Bank Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policy CS2 and CS19 of the Knowsley Local Plan Core Strategy (Adopted January 2016), Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan (Adopted June 2006) and the National Planning Policy Framework.

7. Notwithstanding the Odour Control Risk Assessment (submitted under application ref: 24/00038/COU), prior to the development hereby permitted being first brought into use, details of the systems that will be installed to control the smoke, odour and grease from the kitchen shall be submitted to the Local Planning Authority for their approval in writing. The system shall be based on the risk assessment submitted, which demonstrated that the development has a high impact risk with regards to kitchen emissions. The information submitted shall include:

- a. Details demonstrating that the equipment installed to control odour, smoke and grease will do so effectively and in accordance with the manufacturer's recommendations;
- b. The siting of any external ventilation stack, including the location of the fan and silencers; and

c. Details of any measures which are necessary to attenuate noise from the ventilation stack.

The system shall be retained and operated in accordance with the details provided whilst the permitted development is operational.

Reason: To safeguard the amenities of neighbouring occupiers, in respect of odour and noise generation, in the interest of residential amenity and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy (Adopted January 2016), Saved Policies ENV2 of the Knowsley Replacement Unitary Development Plan (Adopted June 2006) and the National Planning Policy Framework.

8. Fixed plant and equipment 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 at 14-23 Meribel Square. Where possible, all fixed plant shall be turned off when the premises closes.

Reason: In the interests of safeguarding local residents from noise and disturbance and to comply with the Policy CS2 and CS19 of the Knowsley Local Plan Core Strategy (Adopted January 2016), Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan (Adopted June 2006) and the National Planning Policy Framework.

9. The drainage from the kitchen area shall incorporate a grease trap of a design which has been approved in writing by the local planning authority before its connection to any private or public sewer. The trap shall be installed and operating prior to the premises being brought into use. It shall thereafter be retained and operated in accordance with the approved specification at all times that the permitted development is operating.

Reason: To prevent pollution of the water environment and to comply with the Policy CS2 of the Knowsley Local Plan Core Strategy (Adopted January 2016) and the National Planning Policy Framework.

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

CS1 - Spatial Strategy for Knowsley

CS2 - Development Principles

CS4 - Economy and Employment

CS6 - Town Centres and Retail Strategy

CS7 - Transport Networks

CS14 - Principal Regeneration Area - Prescott TC

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

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

S2 - Diversification of Uses within Existing Centres

DQ5 - Development in Conservation Areas

ENV2 - Noise and Vibration

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

Prescot Town Centre Masterplan SPD (2016-2028)

Town Centre Uses SPD (2016)

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 (Miss Kim Vo on)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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.



Executive Director - Regeneration and Economic Development

Date: 23 January 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.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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.