

APPLICATION NO: 26/00126/CLD

CASE OFFICER: Kate Pickles

WARD: Prescott North

PARISH: Prescott Town Council

LOCATION: Family And Friends Playcentre Ltd, Prescott Gospel Hall, Evans Street,
Prescot, Knowsley, L34 6HU

PROPOSAL: CERTIFICATE OF LAWFUL DEVELOPMENT FOR A CHANGE OF USE FROM A
CRECHE (USE CLASS E) TO AN ADULT DAY CARE CENTRE (USE CLASS E)

Site description

The application property is a former gospel hall within a Primary Residential Area in the Local Plan Policies Map. The building is currently used a creche, indoor playground and café and falls under Use Class E.

Proposal

The application seeks determination on whether a change of use from a creche, indoor playground and Café (Use Class E) to an Adult Day Centre (Use Class E) is considered lawful development.

The Day Centre would provide daytime support for adults with additional needs. The use would be 9am – 3pm Monday to Saturday, with up to 6 staff members on site.

Consultations

None required.

Representations

Not applicable.

Planning history

19/00260/COU :- Change of Use from a vacant gospel hall (Use Class D1) to an indoor play centre (Use Class D2). Granted 13/02/2024.

Relevant policy

Sections 191-193 of the Town and Country Planning Act 1990 (as amended)

Assessment

An application under S192 seeks to establish whether:

- a) Any proposed use or building or land; or
- b) Any operations to be carried out in, on, over or under land,

Would be lawful.

S192 sets out that if on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect.

Class E was introduced in September 2020 (The Town and Country Planning (Use Classes) (Amendments) (England) Regulations 2020) and brackets together with a wide range of uses, all now considered to be in the same Use Class.

Schedule 2, Part A of the Use Classes Order states:

Use, or part use, for all or any of the following purposes-

- (a) For the display or retail or sale of goods, other than hot food, principally to visiting members of the public,
- (b) For the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
- (c) For the provision of the following kinds of services principally to visiting members of the public-
 - I. Financial services
 - II. Professional services (other than health or medical services), or
 - III. Any other services which it is appropriate to provide in a commercial, business or service locality.
- (d) For indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,
- (e) For the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of consultant or practitioner,
- (f) For a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
- (g) For-
 - I. An office to carry out any operational or administrative functions,
 - II. The research and development of products or processes, or
 - III. Any industrial process, being a use, which can be carried out in a residential area without detriment to the amenity of that area by reason of noise, vibration, smells, fumes, smoke, soot, ash, dust or grit.

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The current use of the application property is as a creche, indoor playground and café which falls under Use Class E (Commercial, Business and Service) therefore, planning permission is not required to use the premises for any use within Use Class E.

The application indicates that the proposed use of the premises would be for an Adult Day Centre which would also fall under Use Class E (Commercial, Business and Service) and would therefore be considered lawful.

The statutory framework covering “lawfulness” for Lawful Development Certificates is set out in section 191(2) of the Act. In summary, lawful development is development in which no enforcement action may be taken and where no enforcement notice is in force, or, for which planning permission is not required.

As from 1st September 2020, given that the building is considered to have recently been used for a use falling within Class E it is considered that Change of use within Class E would be allowed without the need for planning permission. There are no known planning records that indicate that the premises are restricted by planning permission restricting the use of these premises.

Conclusion

Change of Use to another use within Class E would be allowed without the need for planning permission.

Recommendation

That a Certificate of Lawfulness be granted under Section 192 of the Town and Country Planning Act 1990.

Schedule 1

Date received	Drawing. No	Revision	Drawing/Document Title
20/03/2026	PP-14793182v1		Location Plan
20/03/2026			Planning Statement

Signed Case Officer: Kate Pickles

Signed Authorising Officer: Jo Sheridan

Date: 15/05/2026

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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

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