

Regeneration and Economic Development Department

APPLICATION NO: 21/00767/FUL

APPLICANT: Mr Jeffrey Yates

WARD AFFECTED: Prescott North

DEVELOPMENT: CHANGE OF USE FROM RETAIL (USE CLASS E) TO CAFÉ, BISTRO AND BAR (CLASS E/SUI GENERIS USES) TOGETHER WITH INSTALLATION OF A NEW SHOPFRONT, EXTRACTION FLUE AT REAR AND SEATING AREA TO FORECOURT

LOCATION OF SITE: 64 Eccleston Street, Prescott, Knowsley, L34 5QL,

KNOWSLEY LOCAL PLAN ALLOCATION –

Town and District Centres - Town and District Centres - Prescott Town Centre

RELEVANT POLICIES

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
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
CS26 - Waste Management

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

S2 - Diversification of Uses within Existing Centres
S9 - Shop Fronts and Security Shutters
T10 - Access for the Less Mobile
DQ2 - Security in the Built Environment
DQ5 - Development in Conservation Areas
ENV2 - Noise and Vibration

The Joint Merseyside and Halton Waste Local Plan 2013

WM9 - Sustainable Waste Management Design and Layout of New Development

Supplementary Planning Documents

Ensuring a Choice of Travel SPD – September 2010
Design Quality in New Development SPD - January 2016
Prescot Town Centre Masterplan SPD – 2016 – 2028
Shopfront and Signage Design SPD – January 2016
Town Centre Uses SPD – June 2016

TECHNICAL CONSULTATIONS:

Prescot Town Council - No observations received.

Merseyside Police HQ - No objections in principle, indicates that this application is not one that would normally be commented on from a designing out crime (security) point of view.

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There is insufficient information contained with the documents submitted with the application to give security advice.

With regard to the licencing side the applicant may wish to seek accreditation for Licensing SAVI (Security and Vulnerability Initiative). Full details can be found at www.licensingravi.com

Environmental Health (KMBC) - No objections in principle subject to a number of conditions relating to odour/smoke prevention; grease trap; opening / Closing / waste collection and delivery times; waste management; and noise and disturbance.

Highway Authority (KMBC) - No objections. Advise that some amendments for the proposed barrier may need to be provided when applying for a licence and request an informative that advises the applicant that a pavement cafe licence will be required.

Conservation & Design Officer (KMBC) - No objections in principle. Considers that a Heritage Statement should accompany the application. Outside seating is generally supported subject to it not projecting further than adjacent Wetherspoons unit and the detail of the enclosure and seating/tables being secured. Glazed brick preferred to rather than Accrington and no objection to the flue.

Town Centre Management (KMBC) - No objections in principle although makes several comments in relation to works having already commenced; whether formal arrangement for 'communal refuse storage area' which could lead to environmental health issues; lack of declared opening hours; outdoor seating too deep and should be reduced to maintain passage and be in line with adjacent unit; and operators will require Pavement Cafe Licence.

Licensing (KMBC) - No observations received.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 27 neighbours. It has also been advertised by Site Notice. No representations have been received.

ARTICLE 35

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.

RELEVANT PLANNING HISTORY

APP. NO: K/APP/14410
PROPOSAL: INSTALLATION OF ROLLER SHUTTERS
DECISION: Granted
DECISION DATE: 2 October 1992

ISSUES AND ASSESSMENT:

PROPOSAL

The application seeks consent for the change of use of the premises from its former Shop use (Class E (a)) to a mixed use comprising Café / Bistro (Class E (b)) and Bar (Sui Generis) together with the installation of a new shopfront, extraction flue to the rear and outside pavement seating area to the front.

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The ground floor would accommodate seating areas with associated bar and toilet facilities. The second floor would be given over to a kitchen area, storage and staff WC.

SITE AND LOCATION

The application relates to an existing two-storey unit located within an existing commercial block, dating from the mid twentieth century, at the eastern end of Eccleston Street within Prescott Town Centre. The site frontage is partly under the cover of a canopy. The unit was last occupied as a charity shop (Oxfam). Works have commenced in relation to internal alterations.

Other units in the block comprise two Betting Offices (William Hill and Bet Fred), Wetherspoons Public House; a flower shop and a carpet shop. Other retail units with offices above are located on the opposite side of Eccleston Street. To the east of the block there is a long-stay public car park, accessed from Cyprus Street.

To the rear of the premises is a service yard accessed from Aspinall Street. Immediately beyond the yard, there are residential properties, Meribel Square, with other residential properties located along Aspinall Street.

POLICY CONSIDERATIONS

The application site is allocated as Town and District Centre (Prescot Town Centre) in the Local Plan Policies Map. The site is located within an established town centre which consists of a variety of uses including retail shops, financial and professional services, restaurants and bars.

The proposed development would be in compliance with the relevant national and Local Plan policies.

PRINCIPLE

Saved Policy S2 and the Town Centre Uses SPD and the Prescott Town Centre Masterplan SPD echo the above and support the diversification of uses within the town centre, subject to various criteria being satisfied. In this regard, the proposed use is considered appropriate for a town centre and as town centres are the sequentially preferred location for the proposed use a sequential test showing considered sites and premises is not required. Criterion b) of Policy S2 requires that there would not be a grouping of uses that would have a negative impact on the character or the centre. In this instance, the unit sits immediately adjoining an existing Wetherspoons public house.

However, since Policy S2 was adopted, Class E of Schedule 2, Part A (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (September 2020) has been introduced. This has subsumed former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure), basically, a diverge range of uses primarily those that are suitable for a town centre area. To that effect, existing retail units could be changed to other non-retail uses, including the likes of a restaurant / café, without the need to apply for planning permission. It is not considered that the introduction of another non-retail use in this location would have a detrimental impact on the functioning of the town centre.

Policy CS4 of the Knowsley Local Plan: Core Strategy seeks to facilitate employment development of the right type and in the right location to support the Council's employment priorities and protect the long term employment uses of land. In this regard the proposal would bring a vacant unit back into use, although the job creation figures are unknown at this stage.

Policy CS6 sets out the overall strategy for town centres and retail in Knowsley, including how Prescott will enhance its equal role in providing comparison and convenience shopping which will be supplemented by a complementary mix of uses. Policy CS14 seeks to enhance the Borough's town centres and identifies Prescott Town Centre as a Principal Regeneration Area. Policy CS14 sets out regeneration priorities for Prescott Town Centre including encouraging a wider mix of town centre uses.

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The Council's Town Centre Uses SPD seeks to provide guidance in respect of policies for retail centres, responding to growing concerns regarding clustering and proliferation of non-retail uses within town centres. The SPD gives guidance on the approach to the development of hot food takeaways, betting offices, pay day loan shops and taxi booking offices. The use proposed does not fall into these categories and the SPD is not relevant in this instance.

The proposed use would be in accord with the Prescott Town Centre Masterplan's support for an 'evening economy' in Prescott, given the decline of traditional retailing in the town. For this reason, the proposal is also within the spirit of the regeneration strategy for this area, as set out within Policy CS14 of the Local Plan.

The site is identified as an '*Other Opportunity Site*' in the Prescott Town Centre Masterplan (fig. 5.1) - Prescott Town Centre Masterplan SPD. The block in which the application site is located, and the adjacent Cyprus Street Car Park are sited within the Eastern Action Area (EAA2). The Masterplan states that whilst the commercial units are largely occupied, there is potential here to redevelop all or part of this site in the longer term for residential or appropriate commercial uses.

Having regard to the above, the proposal would not undermine the retail function and general attractiveness of the centre and would help to support the Council's aspirations set out in the Prescott Town Centre Masterplan SPD that *by 2028 Prescott Town Centre will be a thriving attractive destination with a successful evening economy for local residents and visitors.*

DESIGN, ACCESS AND CRIME PREVENTION

Policy CS19 seeks to ensure that new development improves the quality of place and character within Knowsley, by promoting attractive design of new buildings and spaces.

Shop Front

Saved Policy S9 of the UDP requires that new or altered shop fronts should a) relate well to the street scene in terms of materials and proportions; b) if located within a Conservation Area preserve or enhance the character of the area; and c) provide good access for all members of the community. It also goes on to provide criteria to be met for new roller shutters.

The application proposes alterations to the shop front. The existing shop front is currently angled on the left side of the entrance door and it is proposed to bring the windows flush with the front elevation on both sides, re-positioning and re-using the existing timber entrance door which would be coloured Grey (RAL 7016).

New aluminium powder coated bi-fold windows; coloured Anthracite Grey (RAL 7016) would be set within existing timber window frames coloured Anthracite Grey (RAL 7016). Grey (Lamplas Moonlight) glazed dado wall tiles would be applied to the stall riser. Existing roller shutters would be retained.

The altered shop front would be of an acceptable design.

Flue / Odour filtration

The proposal involves a café / bistro and therefore there would be cooking odours / grease associated with the use which require controls to be in place. The application is supported by a scheme which includes the provision of a flue that would be sited to the rear at first floor. This would protrude 1 m above the eaves of the flat roof of the premises. It would be finished in Black (RAL 9005).

It is not considered that the siting of the flue would be detrimental to the visual amenity of the area. The suitability in relation to its functionality in terms of impacts on residential amenity is discussed further on in this report.

Outside Seating Area

The development would also involve the setting out of an outdoor seating area to the front. Furniture would comprise Aluminium and ash chairs and tables. This would be partly set underneath the existing

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canopy to the front of the unit. There area would be suitably cordoned off with removable aluminium and canvas barriers (1100mm (h)). A clear access to the entrance would be maintained.

Impacts on Heritage Assets

Policies CS19 and CS20 seek to seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains.

The application site does not form part of conservation area; however, it abuts the Prescott Town Centre Conservation Area. There are no listed buildings within the immediate vicinity of the site with the nearest being located at 17 Atherton Street. The impacts arising and therefore assessed is that of the 'setting'.

The NPPF makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or no harm to the asset.

Conservation Area Setting

Saved Policy DQ5 requires that new development within or close to a Conservation Area must preserve or enhance the character of the Area. In this instance, the proposal should have regard to a number of criteria which include (inter alia) the materials and architectural detail of existing buildings; important views into and out of the Conservation Area; likely levels of noise, pollution, traffic, parking or disturbance that may be caused by the development and impacts on the adjoining conservation area.

In accordance with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

Having regard to the above and the development as proposed, the unit sits within a relatively modern mid-20th Century block that makes little contribution to the adjacent conservation area's character the level of harm to the significance of this heritage asset is low and for the purposes of the NPPF falls within the scope of 'less than significant harm'.

Listed Buildings

Similarly, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to show special regard to the desirability of preserving listed buildings and their settings, in exercising their planning functions. Considerable importance and weight should be given to the desirability of preserving listed buildings and their settings.

Due to the distance of the heritage asset from the proposed development, the level of harm to the significance of this heritage asset is low and for the purposes of the NPPF falls within the scope of 'less than substantial harm'.

Balancing Exercise

Consequent to the above conclusions, Officers are required by virtue of para. 202 of the NPPF to weigh the harm against the public benefits of the proposal.

PPG identifies that public benefits can be anything that delivers economic, social or environmental objectives as described in the NPPF (para. 8) and be of a nature or scale to benefit the public at large, but these benefits do not always have to be visible or accessible to the public or to all sections of the public to be genuine public benefits. Only if it is considered that those benefits are substantial enough to outweigh the identified less than substantial harm should planning permission be granted. A balancing exercise, which is a matter of planning judgement, must therefore be made by the local planning authority.

Having applied the balance required by para. 202 of the NPPF, Officers have given special regard to preserving the setting of the Prescott Town Centre Conservation Area and listed buildings and given the harm considerable importance and weight. The proposal will result in the re-use of a vacant building, which will contribute towards meeting the Borough's aspirations in bringing forward a thriving evening economy in Prescott Town Centre. These public benefits are considered to present a clear and

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convincing justification to outweigh the identified 'less than substantial harm' to the designated heritage assets and their settings.

Conclusion – Effect on Heritage Assets

The harm to designated heritage assets has been appropriately justified and, therefore, the proposal is considered to comply with policies CS19 and CS20 of the Local Plan, Saved Policy DQ5 of the UDP and the requirements set out in the NPPF. The requirements of S66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have been fully considered in coming to this view.

Security

Merseyside Police Architectural Liaison Officer does not object to the proposal, however, has advised that there is insufficient information to give security advice, but makes recommendation that regarding licensing the applicant seeks accreditation for Licensing Security and Vulnerability Initiative (SAVI). This advice could be included as an informative should planning permission be granted.

In conclusion, the proposal would not be detrimental to the visual amenity of the area. The proposal, subject to appropriate planning conditions, complies with the National Planning Policy Framework; Policies CS2, and CS19 of the Knowsley Local Plan: Core Strategy; Saved Policy DQ2, of the Knowsley Replacement Unitary Development Plan, and the Amended New Residential Development Supplementary Planning Document.

HIGHWAYS

There is no designated parking on the site associated with the use. There are parking restrictions immediately surrounding the site.

Many of the trips associated to the proposal will be linked with other shops / establishments within Prescot Town Centre. Parking is restricted along Eccleston Street at the site frontage, with some parking catered for along Atherton Street and several car parks available within a short walking distance, including a long stay car park at the end of the block in which the unit is located. It is therefore not anticipated that the proposal would have significant impacts on the highway.

The Council's Highways Engineers have not raised any objection to the proposed development in terms of access or parking provision. Accordingly, the development accords with Policies CS2 and CS7 of the Local Plan and Saved Policy S2 of the Replacement UDP.

AMENITY CONSIDERATIONS

The closest residential properties to the site are to the rear, beyond an existing service yard area. These take the form of apartments within Meribel Square, a converted church. Other residential properties are located in flats at the junction of Aspinall Street and Eccleston Street and further along Aspinall Street.

Core Strategy policies CS2 and CS19 combine to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property.

Noise

Given the nature of the development there is potential for noise disturbance. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, the effective mitigation measures are secured.

The hours of opening would be controlled to by way of a suitable condition if planning permission is granted.

Furthermore, it is considered that hours should be controlled for the disposing of bottles into waste receptacles at the rear of the premises; deliveries and refuse collections and that access / egress to at the rear for the public should be for emergency only. These controls can be secured via suitable planning conditions should planning permission granted.

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The proposed shop front would incorporate bi-fold windows. Whilst generally it is accepted that in a town centre location a degree of noise and disturbance would be expected as part of the normal functioning of this type of use, given the proximity of residential properties it is considered, it would be appropriate to impose a planning condition controlling when the windows could be opened.

Environmental Health Officers also recommend a condition to limit the noise level of any fixed plant associated with the development to protect the nearest sensitive properties.

Given the town centre location and subject to conditions it is considered that the development would not give rise to unacceptable impacts on the amenity of neighbouring properties from noise.

Fume Extraction and Odour Filtration

There is potential that exists from odour associated with the use and detrimental impact on surrounding residents and the area in general. A scheme has been submitted and the Council's Environment Health Officers are satisfied that the system proposed would mitigate any impacts subject to a relevant condition to ensure that the agreed details are fully operational at all times that the use is in operation.

In conclusion, the proposal would not be detrimental to the amenity of the occupiers of existing properties. The proposal, subject to appropriate planning conditions, complies with the National Planning Policy Framework; Policies CS2, and CS19 of the Knowsley Local Plan: Core Strategy; Saved Policy ENV2 and DQ2, of the Knowsley Replacement Unitary Development Plan.

OTHER ISSUES

Waste Facilitation

Policy CS26, criterion c) requires that new developments...facilitate the collection and recycling of waste. Policy WM9 of the Waste Local Plan seeks to ensure that adequate measures are provided for the facilitation of storage and collection of waste and recyclable material.

The site area of the application site is confined to the building and an area of pavement to the front of the premises. The application indicates that waste storage would be provided within the yard to the rear; that area is outside of the red line application site.

In that regard, the applicant has provided the H. M Land Registry title deeds and title plan. There is a passageway to the rear of the application premises (marked green on title plan) and the adjacent building (Wetherspoons), which leads onto the yard area (marked brown on title plan).

The applicant has provided anecdotal evidence from neighbouring units that historically the yard area has been used for the storage of bins, Officer's site visit would support this. The title deeds indicate that there is a 'right of way' to pass and repass and all times with or without vehicles over the road coloured brown on the plan ('the Access Road') and on foot only over the passageway marked green on the plan. Whilst this does not establish that the applicant can legitimately use the yard for the storage of waste, the unit does not have any outside space available for the storage of waste and objection on these grounds would stymie any re-use of the application site. Given that there appears to be an ad hoc arrangement in place it is unlikely that the development would have a detrimental impact on the amenities of the area.

Whilst the development is not fully in accordance with Policy WM9, given that provision of outside storage would frustrate any future use of the premises and that the units have operated successfully for a number of years without any know waste related issues, on balance, the overall detrimental impact is considered to be outweighed by the benefits of the scheme.

Grease Trap

Grease associated with the use requires controls to be in place. A scheme has been submitted and the Council's Environmental Health Officers are satisfied with the proposed system. A relevant condition has been suggested to ensure compliance with the details at all times that the proposed use is in operation.

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CONCLUSION

It is considered that the proposal is appropriate and consistent with the site location within the town centre. It would bring a vacant unit into use and contribute to the complementary mix of uses within the town centre and the evening and night time economy.

In terms of the visual impacts, the new shop front, associated pavement seating area and fume extraction equipment would not be detrimental to the visual amenity of the area, nor would the development harm the adjacent Prescott Town Centre Conservation Area.

Suitably conditioned the impacts on residential amenity would be within acceptable limits.

The application is therefore recommended for approval.

RECOMMENDATION:

That planning permission be granted subject to the following conditions:

1)

- 1) 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.

- 2) No customer shall remain on the premises outside of the following hours. :

Monday to Saturday - 08:00 to 00:00

Sunday and Bank/Public Holidays - 10:00 to 23:00

Reason: To safeguard the amenities of nearby residents and to comply with the NPPF (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 3) a) The development hereby granted permission shall not be brought into use until the equipment, as recommended in the Premier Commercial Kitchens document, submitted on the 4 January 2022, has been installed and is operating correctly.

For the avoidance of doubt the odour control equipment shall include the following 4 stages:

1. High efficiency grease filters
2. G4 Pleated panel filters
3. F7 bag filter
4. OC2 Unit - UVC / ozone injection

b) The stack serving the proposed development shall be installed in accordance with the Premier Commercial Kitchens document submitted on the 4 January 2022.

For the avoidance of doubt the stack shall:

1. Terminate at least 1 metre above the roof eaves via a jet cowl.
2. Be attached to the wall with anti-vibration mountings.
3. Be fitted with the silencer stated in the document.

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Once installed the approved ventilation / extraction system shall be operated and maintained in accordance with the manufacturer's recommendations at all times that the use is in operation.

Reason: To safeguard the amenities of neighbouring occupiers, in respect of odour and noise generation, in the interest of visual amenity and having regard to the proximity of the Prescot Town Centre Conservation Area and to comply with the NPPF (2021), Policies CS2, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies DQ5, CS2 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted, June 2006.

- 4) 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.

Reason: In the interests of safeguarding local residents from noise and disturbance and to comply with the NPPF (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) The drainage from the kitchen area shall incorporate a 7kg grease trap and dosing system, as described in the email from Steve Chapmen, dated 24 December 2021. This system shall be installed correctly and be operating prior to the premises being brought into use. It shall thereafter be retained and operated in accordance with the manufacturer's recommendations at all times that the premises are in operation as a café / bistro.

Reason: To prevent pollution of the water environment and to comply with the NPPF (2021) Policy CS2 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 6) The windows to the ground floor front elevation hereby approved shall not be opened outside the hours of 10:00 and 20:00 on any day that the approved use is in operation.

Reason: To safeguard the amenities of nearby residents and to comply with the NPPF (2021) Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) No construction work shall take place outside the hours of:

08:00-18:00 hours Monday to Friday;
08:00-13:00 hours Saturday; and
not at all on Sundays/Public Holidays

Reason: To safeguard the amenities of nearby residents and to comply with the NPPF (2021) Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 8) Empty bottles shall only be loaded into bins in the external designated waste storage area between the hours of 08.00 and 20.00 hours on any day.

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Reason: To safeguard the amenities of nearby residents and to comply with the NPPF (2021) Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 9) 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
9:00 to 18:00 Sundays and Public / Bank Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with the NPPF (2021) Policies CS2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 10) 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 the NPPF (2001), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 11) Any amplified sound from the premises (including music / PA systems) shall not be audible at the façade of any residential properties.

Reason: To safeguard the amenities of local residents from noise and disturbance and to comply with the NPPF (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 12) No external umbrellas / parasols; heater appliances; lighting; or litter bins shall be installed / located within the area demarcated for outside seating associated with the approved use unless, prior to their installation, details of such have first been submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the scheme details shall have regard to the Council's Pavement Café Policy (November 2020); shall demonstrate a high quality of design having regard to the location's context and should avoid bright distracting colours.

Details shall include, but not be limited to:

- a. Details of umbrella/parasol arrangement which shall not overhang the cordoned enclosure and remain closed in periods of high winds.
- b. Details of any heater appliance - including their siting; (if powered by gas the connections, including the regulator, hose and clips must be fit for purpose and checked on a regular basis).
- c. Precise details of any external lighting.
- d. Litter bins –dimensions, design, colour/finish.

The development shall thereafter only be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity and having regard to the proximity of the Prescott Town Centre Conservation Area and to comply with the NPPF (2021) Policies CS2, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted

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- 13) The chairs, tables and free standing barriers and any additional outdoor equipment agreed pursuant to condition 12 of this permission associated with the outdoor seating area shall be removed from the front of the premises and stored securely overnight within the premises at all times outside of the permitted opening hours.

Reason: In the interests of minimising crime, disorder and anti-social behaviour and to comply with the NPPF (2021), Policies CS2, CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy DQ2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/02/2022	1484-01	-	Existing Plans / Location Plan
28/02/2022	1484-04	Rev. D	Proposed Plans
28/02/2022	1484-05	Rev. D	Proposed Elevations
28/02/2022	1484-06	Rev. B	Proposed Section
04/01/2022	-	-	Odour Control Risk Assessment - Processed by Premier Commercial Kitchens
28/02/2022	-	-	Bolero Ash Flip Top Square Bistro Table Detail
28/02/2022	-	-	
28/02/2022	-	-	Bolero Aluminium and Ash Chair Detail
28/02/2022	-	-	Tile Sample

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

- Pavement Licence**
 Prior to the outside seating area hereby permitted first being installed the applicant must have applied for and obtained a pavement café licence (or pavement licence) from the Council to ensure the pavement café is authorised for placement on adopted highway. Details of how to apply for a pavement café licence or pavement licence can be found on the council website at: <https://www.knowsley.gov.uk/business/apply-for-alicence/licensing-act-2003>.
- Merseyside Police**
 The applicant's attention is drawn to the comments of Merseyside Police Architectural Liaison Office:

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With regard to the licencing side the applicant may wish to seek accreditation for Licensing SAVI (Security and Vulnerability Initiative). Full details can be found at www.licensingsavi.com

3 **Advertisement Consent**

This permission does not authorise the display of any advertisements on the application site a separate application for which may be required which should be made to the Local Planning Authority in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Please contact the Council's Development Control Section (Tel: 0151 443 2381) for further advice).

Maxine Wishart

8 April 2022

Alan Kilroe
8 April 2022

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