



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 24/00038/COU

Name and address of applicant

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

Name and address of agent

N/a

Date of Receipt: 29 January 2024

Date Valid: 1 February 2024

Address/Location Of Development:

Self Pick Veg
66 Eccleston Street
Prescot
Knowsley
L34 5QL

Description of Development:

**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**

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 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. 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 Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, 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 the NPPF (2023); 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.

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 the NPPF (2023), 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.

6. The hot food takeaway shall not be open to customers (and shall not operate a takeaway service) outside the hours of 10:00 to 23:00 Monday - Friday, 10:00 to 23:00 Saturdays and 16:00 to 23:00 Sundays.

Reason: In order to reduce the potential for anti-social behaviour within the Town Centre.

7. Notwithstanding the submitted Odour Control Risk Assessment, prior to the development hereby permitted being 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 Policies CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and

Saved Policies ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

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 NPPF (2023), 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. 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 NPPF (2023), Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29/01/2024	2466-01	-	LOCATION PLAN
29/01/2024	2466-02	-	BLOCK PLAN
01/02/2024	2466-07A	-	PROPOSED SECTIONS
01/02/2024	2466-06A	-	PROPOSED ELEVATIONS
01/02/2024	2466-04A	-	PROPOSED FLOOR PLANS
01/02/2024	-	-	ODOUR CONTROL RISK ASSESSMENT

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 – Adopted 2016

CS2 - Development Principles
CS6 – Town Centres and Retail Strategy
CS7 – Transport Networks
CS14 – Principal Regeneration Area – Prescott Town Centre
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing the Borough’s Historic Environment
CS26 – Waste Management

S2 – Diversification of Uses within Existing Centres
DQ5 – Development in Conservation Areas
ENV2 – Noise and Vibration

The Joint Merseyside and Halton Waste Local Plan – Adopted 2013

WM9 – Sustainable Waste Management Design and Layout of New Development

Supplementary Planning Documents

Ensuring a Choice of Travel SPD – Adopted 2010
Design Quality in New Development SPD – Adopted 2016
Prescot Town Centre Masterplan SPD – Adopted 2016
Town Centre Uses SPD - Adopted 2022

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 (John Fleming on 0151 443 2216)

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.

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

1. Please note that this business will need to register with the Environmental Health and Consumer Protection Service as a food business prior to opening.
2. This permission does not authorise the display of any advertisements on the application site a separation 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 information).

3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

Executive Director - Regeneration and Economic Development

Date: 18 April 2024

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. 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.

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.
- 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.