



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Application No: 23/00177/FUL

Name and address of applicant

Mr Huseyin Utku
16 Baythorne Road
Walton
Merseyside
L4 9QL

Name and address of agent

Date of Receipt: 23 March 2023

Date Valid: 28 March 2023

Address/Location Of Development

Simply Food And Drinks
9 Tarbock Road
Huyton
Knowsley
L36 5XN

Nature And Particulars Of Application

CHANGE OF USE FROM OFF LICENCE (USE CLASS E) TO HOT FOOD TAKEAWAY (USE CLASS SUI GENERIS) AND INSTALLATION OF FLUE SYSTEM TO REAR WALL.

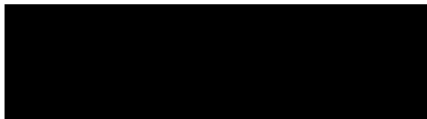
The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **refused** for the carrying out of the development referred to above for the following reasons:-

1. The proposed development would exceed the threshold for the percentage of hot food takeaways within the Tarbock Road local centre as set out in the Town Centre Uses SPD. This would create an unacceptable grouping of hot food takeaways at the centre which would have a negative effect upon the character of the centre, potentially the vitality and viability of the centre and an unacceptable impact on the health of Knowsley residents. Contrary to saved policies S2 & S7 in the Knowsley Replacement Unitary Development Plan (adopted 2006) and Town Centre Uses Supplementary Planning Document (Revised 2022).

2. Insufficient information has been submitted to fully assess the impacts of odour control and noise, impacts of the proposal on the amenity of the occupiers of the residential premises above , and no details have been submitted pertaining to external plant and as such the impacts of the proposal relating to these matters cannot be adequately assessed. As such the proposal would be contrary to Policies CS2 & CS19 in the Knowsley Local Plan Core Strategy (adopted 2016) and H5, ENV2, S2 & S7 in the Knowsley Replacement Unitary Development Plan (adopted 2006)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application within a timely manner. However the proposed development raises fundamental issues which are contrary to local and national planning policies and which are incapable of being addressed within this application. The Local Planning Authority is willing to meet with the applicant to amplify the reasons for refusal.



Executive Director - Regeneration and Economic Development

Date: 23 May 2023

IMPORTANT NOTES FOR YOUR ATTENTION:

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.