



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/01008/COU

Name and address of applicant

Mercutio's Bar & Cafe Limited
16 Eccleston Street
Prescot
Knowsley
L34 5QE

Name and address of agent

Mat Design Limited
17 Brookside Avenue
Eccleston
St.Helens
WA10 4RN

Date of Receipt: 24 May 2023

Date Valid: 30 May 2023

Address/Location Of Development:

16 Eccleston Street
Prescot
Knowsley
L34 5QE

Description of Development:

**RETENTION OF USE FROM RETAIL (USE CLASS E) TO WINE BAR AND CAFÉ
(USE CLASS SUI GENERIS)**

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 shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. The premises shall only be open between the hours of 08:00 and 00:00 on any day, with the exception of an extra hour until 01:00 on all days preceding Bank Holidays, Christmas Eve (into Christmas Day), Christmas Day (into Boxing Day), and New Years Eve (into New Years Day).

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.

3. Except for access and egress, doors and windows shall remain closed after 2200 hours on any day.

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.

4.

- a. Any waste arising from the premises shall be stored securely in designated bins identified on Drawing No. 2 - 'Existing and Proposed Floor Plans' dated May 2023; and
- a. (b) Empty bottles shall only be loaded into the bins, in the external designated waste storage area, between 08.00 and 20.00 hours on any day.

Reason: To safeguard the amenities of nearby residents and to comply with the PPF (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.

5. No deliveries / collections shall take place to / from the premises between the hours of 20:00 and 08:00 on any day.

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.

6. Within three months of the date of this permission, precise scheme details of sound insulation measures, which ensure that the noise exposure within living rooms and bedrooms of residential property above meets the requirements of the British Standard BS 8233: 2014 (Guidance on sound insulation and noise reduction for buildings), shall be submitted to and agreed in writing by the Local Planning Authority.

The approved scheme shall be implemented in accordance with the agreed details and within a timescale which shall have first been identified within the submitted scheme and agreed in writing by the Local Planning Authority.

The agreed works shall be retained thereafter at all times that the use is in operation.

Reason: To safeguard the amenities of nearby 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/05/2023	1	-	SITE LOCATION PLAN AND PROPOSED SITE BLOCK PLAN
24/05/2023	2	-	EXISTING AND PROPOSED FLOOR PLANS
24/05/2023	-	-	HERITAGE ASSESSMENT STATEMENT

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:-

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

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 (2010)

Prescot Town Centre Masterplan SPD (2016-2028)

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 (Maxine Wishart on 0151 443 2381)

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. 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

2. *Advertisement Regulations*

The illuminated advertisement(s) displayed on the premises require a separate Express Consent to Display Advertisements. Please contact the Council's Development Management Section (Tel: 0151 443 2381) for further advice.

3. *Pavement Cafe Licence*

The applicant is advised that the granting of planning permission does not entitle the applicant to place chairs, tables or other equipment in the adopted highway. The placing of such in the highway is an offence unless a Pavement Café licence is granted by the Council, under the provisions set out in S115E of the Highways Act 1980. Contact: Licensing@knowsley.gov.uk for further information.

4. *Fume Extraction / Odour Filtration Equipment*

Separate planning permission may be required for externally mounted fume extraction / odour filtration equipment together with any internally mounted equipment which vents externally.

The submitted details should address the requirements of the Council's Validation Checklist and the information submitted will need to make it clear that the plant/equipment is capable of operating without causing a noise, odour and/or dust impact on neighbouring properties.

Executive Director - Regeneration and Economic Development

Date: 1 December 2023

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.