

**PLANNING STATEMENT ATTACHED TO THE PROPOSED USE OF
59 KEMBLE STREET AS A CAFE (USE CLASS E(b)) PREMISES.**

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ON BEHALF OF: MR D FITZPATRICK

DATE: APRIL 2025

1. INTRODUCTION

This planning statement has been prepared to support a Lawful Development Certificate (Proposed) application and should be considered in conjunction with the existing and proposed floor plans, along with the most up to date advice set out in the Use Classes Order.

2. THE APPLICATION SITE AND LAND USE ALLOCATION

The ground floor of the premises is located at the corner of Kembble Street and Aspinall Street, Prescott and is denoted as being located within the Prescott Town Centre on the Knowsley Local Plan Proposals Map.

In terms of the use of the premises, the ground floor of the premises (the application site) operated under Use Class E (Green Deal Energy Limited, then as the Vape Shack) since at least April 2015 (Google Street View) until the Vape Shack ceased trading in 2024.

3. PLANNING HISTORY

There is no planning history available on the Local Planning Authority planning register that would affect the consideration of this Lawful Development Certificate (Proposed) application.

4. CURRENT USE CLASSES ORDER

The current Use Classes Order was last updated on 1 September 2020 when Use Class A1 was revoked. Use Class A1 was then effectively replaced within the provisions of the new Class E - Commercial, Business and Service, which have greater clarification to the use of commercial premises and placed many commercial and office uses under the same Use Class umbrella.

The knock-on effect of these changes was that Use Class E premises then had greater flexibility in terms of the uses they could operate under, without the need to apply for full planning permission. These Use Class extend across the following areas of use:

- **E(a)** Display or retail sale of goods, other than hot food
- **E(b)** Sale of food and drink for consumption (mostly) on the premises
- **E(c)** Provision of:
 - **E(c)(i)** Financial services,
 - **E(c)(ii)** Professional services (other than health or medical services), or
 - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- **E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- **E(f)** Creche, day nursery or day centre (not including a residential use)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - **E(g)(i)** Offices to carry out any operational or administrative functions,
 - **E(g)(ii)** Research and development of products or processes
 - **E(g)(iii)** Industrial processes

5. EXISTING USE/USE CLASS

The ground floor of 59 Kemble Street operated under Use Class E (Green Deal Energy Limited, then as the Vape Shack) since at least April 2015

6. PROPOSED USE/USE CLASS

The proposals for the site are to use carry out internal alterations only so that the floor space can be used as a Café and Juice Bar premises, which would fall within Use Class E(b) (Commercial, Business and Services).

7. THE PROPOSED USE AND CONCLUSIONS

The applicant proposes to use the ground floor of the premises as a Café and Juice Bar premises with minor internal alterations so that the commercial floor space area can be used lawfully under Use Class E(b) - Sale of food and drink for consumption (mostly) on the premises. No alterations are proposed by this application that would affect the external appearance of the building.

Taking this into account and that the previous A1 lawful use of the buildings was revoked and replaced with Use Class E in September 2020, this application seeks confirmation from the Local Planning Authority that planning permission is not required for the change of use in this case, and we would ask that the Local Planning Authority issue the requested Lawful Development Certificate.