

<u>APPLICATION NO:</u>	24/00093/COU	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	16 Mackets Lane (R And R Kitchen), Halewood, Knowsley		
<u>PROPOSAL:</u>	CHANGE OF USE FROM THE EXISTING (USE CLASS E (b)) TO HOT FOOD TAKEAWAY (USE CLASS SUI GENERIS) TOGETHER WITH ALTERATION TO SHOP FRONT AND INSTALLATION OF VENTILATION SYSTEM		

Site Description

The application site is located at 16 Mackets Lane and is a ground floor commercial unit within the terraced shopping parade, situated adjacent the inner gable end where one half of the parade meets the other and is separated by an alleyway (adopted footpath). This connects to the rear access highway (also Mackets Lane) to the rear of the commercial units. Access for here is taken off Yew Tree Road and is also adopted.

The application property is situated within an area allocated as a Primarily Residential Area in the Development Plan and is also designated as a Medium Local Centre (outlined in the Town Centre Uses SPD under Retail Centre classifications).

The two overall buildings that combine to create the parade are served by hipped roofs that span the width of the parade, with associated projections and protrusions of a wide array of forms and designs. The front of the parade is predominantly west / south-west facing and is set back from the Highway of Macket's Lane by an off-road that provides stopping and parking facilities for visitors of the centre. To the south is a railway line and north, east and west directions are residential properties. The upper (first floor) of the parade consists predominantly of residential properties (flats). The storey above the application unit (12 A) provides commercial space and currently serves a taxi firm (Alpha Taxi's) and an accountancy firm (unknown).

The site is currently vacant and in the process of re-development, in anticipation for the proposed Change of Use application. The most recent use was a café (R and R Kitchen – this is evidenced from Google Maps Street View data) as well as an application, which was withdrawn which outlines the intended use for a café. Existing refuse bin(s) are stored to the side of the premises, within the alleyway, and secured by existing (approx.) 2.4m black gates.

Other uses in the parade of units contain convenience store (2), barbers, gelato shop, taxi business, dentists, Chinese restaurant and take away and a betting shop.

Proposal

The application seeks permission for the Change of Use from the previous Use Class (E (b)) to hot food takeaway (Use Class Sui Generis) together with alterations to shop front and installation of ventilation system.

The alterations to shop front and installation of ventilation system would be the only external alterations to the premises.

The proposed extraction system would be positioned to exit the building by the centre of the side elevation and extend along the upper part of the rear projection of the premises, with the vent pipe to discharge to the far end of the flat roof.

Internally, the floor layout would comprise a collection / order counter, oven, refrigerator chamber, with a prep kitchen and wash area, associated toilets and a waste storage area.

The opening hours have been finalised and proposed as Monday – Saturday 10:00am – 11:00pm, Sunday / Bank holidays – 10:00am – 10:30pm.

The proposed change of use outlined in the submitted application is for a hot food takeaway only. There is no mention or proposal to offer any restaurant facilities or outdoor seating.

The application has seen amendments which include proposed hours of operation, external design, appearance and location of the extraction system, external shopfront alterations together with a ramp for access. Further clarification on the ownership of the site was also included.

Consultations

Halewood Town Council - No comments received.

Environmental Health – No objections, following further information reviewed the original (holding) objection had been withdrawn.

Highway Authority – No objections.

Local Plan Team – Comments received outline the principle of development is in accord with relevant policy considerations.

Public Health - Health Improvement and Health Protection – No objections, suggested Condition pertaining to hours of operation.

Merseyside Police HQ – No objections.

Crime And Communities – No objections.

Representations

This application has been publicised by letters sent to 37 neighbours. It has also been advertised by Site Notice, with an expiration date of 04.05.2024.

There have been 3 letters of objection, 0 letters of support and 0 letters of comment. The objections are summarised as follows:-

- Infestation from rats which is dropping the house price.

- Traffic on Yew Tree Road is dangerous from parking from the Chinese restaurant and shops.
- Odours since the Chinese restaurant has opened – washing on the line past 3pm is impacted by odours.
- Overflowing bins and refuse issues which increase the issues pertaining to rats. Constant littering and rubbish being left around the locality. Claims that the dessert shop discards waste into the entry between shops and back of houses (impacting residents from behind.)
- Issues from overflowing traffic occurring on the road behind the retail units – an additional takeaway would exacerbate these issues.
- Frustration raised that a local resident was not informed or notified from Planning and found out through word of mouth.
- Previous use of R&R Kitchens provided mostly take away sandwiches so no offensive fumes or odours created.
- A pizza shop would be open longer opening hours and create much more traffic in the area with not enough parking available as is.
- I have lived at my property for 60 years and have used the access behind to access my property and have done for 40 years. Issues daily with access to the road between the shops. Recurring issues with access to Abberley Road and Yew Tree Road with vehicles double parked with abuse from drivers when politely asked to move.
- Objection to a takeaway which will be open long hours.
- In the application it makes reference to using the previous waste collection facilities as now (weekly bin collection). This is already inadequate as there is always litter on the street. It is a battle to keep the front area of my house clear of litter as it is either blown over or dumped by people who cannot be bothered to use the waste bins already in place. A takeaway will add to an existing problem. There was planning permission sought for a takeaway (Chinese) two doors down; I objected on similar grounds.

From the points of objection raised, many would not form material planning considerations during the determination of this application. This would include the impact on property values, as this is not a material consideration for the assessment. The remainder of the matters which pertain to rats, traffic generation, odours, litter, hours of operation etc will be addressed throughout the officer appraisal, although the issues with other nearby uses are not material.

In relation to the point of objection which raised that a local resident was not notified directly through neighbour notification, the application has complied with the necessary requirements outlined within the Statement of Community Involvement. Properties which are adjacent and where the plot boundaries touch the curtilage of the application site, these neighbours were sent neighbour notification letters, for the consideration of this application, letters were sent further. Despite being discretionary in this instance, a Site Notice was posted for wider public interest.

Despite concerns received which relate to the introduction of an additional food unit, the development would ensure that a vacant unit would be occupied, consequently aiding in the regeneration of the locality and to increase footfall and the economic impact.

Planning History

APP. NO: 24/00094/ADV

PROPOSAL: DISPLAY OF SIGNAGE COMPRISING 1NO INTERNALLY
ILLUMINATED FASCIA SIGN
DECISION: GRANTED
DECISION DATE: 07 May 2024

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

The application site is designated as a Medium Local Centre (Mackets Lane) in the adopted Development Plan. The unit is situated within the established shopping parade which provides an array of uses as outlined in the site description. Subsequently, the change of use from Use Class E to a hot food take away (Sui Generis) is acceptable in principle subject to accordance with the relevant Development Plan policies listed below.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS6 - Town Centres and Retail Strategy
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
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
H5 - Development within Primarily Residential Areas
DQ2 - Security in the Built Environment
ENV2 - Noise and Vibration
T10 - Access for the Less Mobile

THE JOINT MERSEYSIDE AND HALTON WASTE LOCAL PLAN 2013

WM9 - Sustainable Waste Management Design and Layout of New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Town Centre Uses SPD (2022)
Shopfront and Signage Design SPD (2016)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Principle of Development

The salient policy considerations relevant to the determination of the proposed development are as follows:-

- Policy CS6 – Town Centres and Retail Strategy, aims to enhance the vitality and viability of Knowsley's Centres and maintain appropriate local service provision. In the context of Halewood, specifically Mackets Lane (which is designated as a Medium Local Centre and subsequently criterion c) of CS6 is the relevant consideration, which outlines that Local Centres will provide local shopping and service provision of an appropriate scale relative to the size and function of each Centre.
- Saved Policy S2 – Diversification of Uses within Existing Centres, outlines that there is an expanded provision of acceptable uses. Pertinent to the application would be criterion 1:
 - 1.a) the proposal would be compatible with the scale and role of the centre and would not have a detrimental impact on the retail function of the centre;
 - 1.b) the proposal would not result in a grouping of uses which would have a negative impact on the character of the area;
 - 1.c) the use would not (by reason of smells, noise, visual intrusion or general disturbance) have a detrimental impact on the environment of the surrounding area; or on the amenity of any neighbouring residents;
 - 1.d) the proposal would not cause or exacerbate on-street parking, traffic or amenity problems.
- Criterion 2 (food and drink uses) of Saved Policy S2 stipulates that proposals within existing centres will be expected to meet the following additional criteria:
 - 2.a) any external ventilation and extractor systems which are necessary would be provided without causing harm to the external appearance of the building or street scene and would not harm the amenity of neighbouring properties through noise or odour; and
 - 2.b) the proposal will not be permitted in a local centre or in any property (either within or outside an existing centre) that is close to existing or

proposed residential uses unless the applicant has submitted convincing evidence that the impact on residential amenity would be acceptable.

- The Town Centre Uses SPD is a key material consideration for the assessment of the proposed development and outlines detailed policy guidance, specifically the guidance pertaining to hot food takeaways. In the context of Medium Local Centres, hot food takeaways will not be granted if it causes an unacceptable grouping of hot food takeaways which would have a negative impact on the character of the centre. For the consideration of a Medium Local Centre the relevant threshold is outlined as no more than 10%.

As outlined Saved Policy S2 and the Town Centre Uses SPD support the diversification of uses with the Medium Local Centre, on the basis that the proposed development is in accordance with relevant policy considerations. The proposal would be considered suitable for the site designation and local retail/service context and subsequently a sequential test indicating alternative sites would not be required.

In assessing the application, it is essential to address the other units currently operating within the local centre. Two of the commercial units are occupied by business offering food (as well as takeaway options).

- 22 Mackets Lane accommodates Sweet Serenity (gelato) which is evidenced from the most recent records on planning history, Google Maps Street View data and the Officer site visit.

APP. NO: 19/00034/FUL
PROPOSAL: Change of Use from retail shop to ice cream parlour/bistro/cafe
DECISION: WITHDRAWN
DECISION DATE: 21 January 2019

Given that the use is currently in operation, which is also supported from a website and featuring on vendors such as Uber Eats to order, this business therefore is unauthorised and operating without Planning Permission.

- 12 Mackets Lane is occupied by Sing Faye (Chinese restaurant and takeaway) which also is evidenced from the latest available records of planning history held by the LPA, Google Maps Street View data and the Officer site visit also.

This unit is currently trading, evidenced by the website and its promotion on Uber Eats for order. This business is also unauthorised and appears to be operating without Planning Permission.

Notwithstanding the above considerations which would be a matter for Planning Enforcement, if necessary, this application must be considered on its own individual merits. The proposal in question must be assessed on its own individual merits.

It is deemed that the proposed development would be relative to the function of the existing scale of the Medium Local Centre (Mackets Lane). The Local Planning Authority's holds monitoring records that Policy Officers collected from a survey of

Retail Centre	Retail Centre Threshold	Total no. of units in centre	Total no. of HFT units in centre	% of HFT uses	Threshold exceeded?
Mackets Lane, Halewood	10%	10	0	0%	No

Mackets Lane, Halewood Medium Local Centre (August 2023), it was recorded that no units in the centre were in use as a hot food takeaway. This information was received from a consultation response from the Local Plan Team who affirmed that, on the basis that there hasn't been a change in circumstances within the centre, the proposal is acceptable in principle. Mackets Lane Medium Local Centre contains 10 units at ground floor level and from the records held and Officer site visit there are no permitted hot food takeaways within the local centre.

The proposed use would bring 1 authorised hot food takeaway into the local centre, which would represent 10% of the total overall units in the centre. This would, therefore, on the current policy guidance be the stipulated maximum level for hot food takeaways and is advised that the relevant thresholds should not be exceeded. Overall, the proposal would not exceed the required threshold for the maximum hot food takeaways in the relevant local centre and would therefore be acceptable in principle.

The occupied unit at 12 would not be classed as a hot food takeaway on this occasion. From information found on the website it would appear the restaurant is the primary function, and the takeaway aspect is an ancillary use. Therefore, it would not be considered a hot food takeaway.

4.6 of the Town Centre Uses SPD outlines that as establishments whose primary business is for the sale of hot food for consumption off the premises do not fall within any use class (*sui generis*). 4.7 continues to stipulate that any operator who wishes to change the use of their premises will be expected to demonstrate that the use proposed will be the primary business activity for their proposal.

Given, however, no conflicting information or joint / alternative use for the business and its proposal, there is no evidence to conflict or counter that the sole use is not for a hot food takeaway, with food being delivered and consumed off the premises, with no indication of a mixed use for the proposed development. Consequently, it is clear that this use (in accord with the Town Centre Uses SPD, Table 2 of 4.7, which defines a hot food takeaway as *sui generis* use) therefore, the Local Planning Authority would be satisfied with the information provided and would deem it appropriate to discard this policy requirement on this occasion.

S2's accompanying guidance (7.19) states that in Knowsley's town and district centres generally there is inactivity after 6:00pm when the majority of shops, banks and offices are closed. 7.20 furthers that the introduction of non-retail (either at ground floor or upper floor level) can make an important contribution to the regeneration of the local area, attracting more visitors and increasing personal safety by increasing activity in the evenings.

Public Health

During the consultation period, Public Health were asked to review and comment on the proposed change of use.

The comments received outlined no objections to the proposal, however, recommended that hours of operation should be considered, regarding reduced opening / closing during school leaving times. This was to accord with the policy guidance of the Town Centre Uses SPD which the guidance for hours of operation, criterion c states that the existence of a primary or secondary school within close proximity of the proposal, regard should be had to hours of operation for this reason.

The accompanying guidance for this consideration (7.26) advocates that where a hot food takeaway development is proposed near a primary or secondary school, consideration will be made regarding the proximity to the school site, with the encouragement of suitable opening hours e.g. an hour following the end of the school day as a Condition of the development's approval. Each planning application will be considered on a case-by-case basis.

The consultation response highlighted that Hunts Cross Primary School is 0.5 miles away, Holy Family Catholic Primary is 0.8 miles away and Halewood Academy is 0.9 miles away. Reference was made to the SPD's guidance that earlier closing times should be considered if the proposal would be situated within a predominately residential area, due consideration should be given to the flats above and houses opposite and to the rear.

The comments provided by Public Health, in line with the guidance contained in this SPD have been considered, however, securing this through Condition would not be deemed necessary, given that the nearest two schools are primary and subsequently, children will be collected by parents / caregivers. The secondary school site is located to a distance that would not be deemed reasonable to apply this Condition. Moreover, given that there are other facilities which have capacity for takeaway options (Sing Faye and Sweet Serenity) as well as other opportunities near Hunts Cross train station to the crossroads of the A562 it would not be considered reasonable to include this Condition on this occasion. Additionally, apps such as Uber Eats would expand the reach and opportunity for hot food takeaway and deliveries.

Consideration has been given also to the site context and allocation. However, it is also designated as a Medium Local Centre, with no current authorised (solely / primarily use) hot food takeaways. For similar reasons, it would not be considered reasonable on the planning balance to include this Condition.

The comments provided and the guidance contained within the Town Centre Uses SPD align with Planning Policy Guidance (Healthy and safe communities) on concern of prolific over-concentration of uses which may contribute to high levels of obesity and health concerns. These have been acknowledged and considered, but on the planning balance, given that Mackets Lane has not exceeded the threshold and other commercial businesses which operate with food would not be deemed as predominantly hot food takeaways, it would not be considered there would be over-concentration or 'unacceptable groupings' of a use which could contribute to adverse harm on health.

Overall, on the planning balance, it is considered that the proposed development would be acceptable in principle, would accord with the thresholds of the Town Centre Uses SPD and would provide vitality and viability to an otherwise vacant unit to drive interest and regeneration, it would be considered acceptable. Therefore, it is considered that the proposal would add to the diversity of uses within this retail centre, without detracting from the primary retail function of the centre and would comply with Saved Policy S2.

Design and Visual Amenity

The proposal would largely be physically altered on the exterior and the only external changes are the alterations to shop front (and shutter detailing) and the installation of external ventilation system.

The submitted plans show that the display of signage comprising 1. No internally illuminated fascia sign will be installed, this does not form part of this application, as it is assessed under separate legislation for advert consent and has already been determined (granted).

The extraction system would exit the wall at a height of 2.48m above ground level and run adjacent the upper part of the ground floor wall by 13.5m through the public footpath adjacent the site and finish to the furthest edge of the roof of the ground floor projection where the vent discharge will be situated, with the tallest part of this measuring at 1.1m. This would be at a distance of 10.7m from the rear of the first-floor of the premises (12 A). The submitted plans have indicated that this would be a dark grey (powder coated) but following discussion, has been agreed that this will be painted black. This is to ensure that the proposal would not cause any adverse harm by its design. This has been annotated on the amended plans.

Given the designation as a Medium Local Centre and that the shopping parade provides a mixture of commercial and residential uses, the associated extraction equipment would not be deemed to adversely impact the character of the area. Furthermore, the proposed system would largely be concealed as it would be situated within the public footpath, which would not be readily visible from a public vantage point or have a prominent view from the front and highway of Mackets Lane.

The flue would not be prominently visible from Mackets Lane; however, it could be viewed from the rears of the first-floor residential properties and from the rear elevations / gardens to a degree from the adjacent terraced row of Abberley Road, at approximately 22m. Despite this, it would not be considered that the submitted extraction system would have any significant harm to visual amenity that would warrant a refusal of the application, but in the interest of visual amenity and design, this justified the request to paint the external system black.

Saved Policy S9 states that security shutters and grilles, including their related housing shall be permitted if they (b) have as little impact on appearance as possible during both business and non-business hours; and (c) when located on highway frontages provide some perforated visibility into the premises.

The external shopfront alterations include the installation of a slim aluminium shop front, which would be black in colour. This would be considered acceptable.

A recessed shutter box, with perforated shutters in black would also be installed. The recessed shutter box would be in keeping with other shutter systems found within the parade and would also comply with the guidance of the Shopfront and Signage SPD, which requires that shop shutters should avoid protruding and projecting box houses for the shutters. The recessed shutter details would ensure that the design is acceptable. The shutter box would be situated underneath the fascia sign but would be recessed so as to not project and have an adverse impact. The shutter design would be perforated to allow some visibility into the premises.

The proposed shutters would be considered to be appropriate and fitting for the character of the parade. This element of the proposal would not be considered particularly obtrusive and subsequently acceptable.

Details of the extraction and ventilation system show that it would pass through a corridor in the building, which is shared between other commercial tenants, however, the landlord is happy to consent to this to be placed where proposed as to bring the unit into use. Certificate B has been served on all adjoining neighbours. A Condition

will be applied if Planning Permission is granted for the extraction's systems retention.

The proposal has been amended to incorporate a ramp into the unit. At present, there is step, this will be removed, and a ramp installed to facilitate improved access, particularly for wheelchair users, pushchairs etc. This would accord with Saved Policy T10 of the UDP.

Residential Amenity

Policies CS2, CS19 and S2 seek to ensure that development proposals do not have an unacceptable impact on residential amenity. Policy ENV2 stipulates that developments which cause unacceptable levels of noise will not be permitted.

As outlined previously, there are commercial units on the ground floor of the parade and residential units on the first-floor, this is with the exception of the unit directly above the application site (16A) which serves as a commercial unit. The first-floor residential properties are the closest and most impacted properties from the application site.

The proposed development has the potential for noise disturbance. This can be from comings and goings, deliveries and the operation of the extraction equipment. Saved Policy ENV2 outlines that development that will either cause an unacceptable increase in noise or vibration levels or itself be subject to unacceptable noise or vibration from an existing source will not be permitted. Suitable Conditions can also be used to mitigate any severe adverse harm on residential amenities.

Environmental Health were consulted on the proposal and initially provided a holding objection to the scheme. Initial concerns included the location of the chimney having an unacceptable impact on residential amenity. Amendments secured included the location of the extraction system being at a greater distance from the first-floor residential properties to mitigate any unacceptable harm by way of noise (and odour).

Environmental Health Officers have agreed to the operating hours of the extraction equipment matching the hours of use agreed for the business overall. This will also be controlled by way of a Condition for the avoidance of doubt if Planning Permission is granted. Information submitted from the applicant has satisfied the Environmental Health Officers' concerns in relation to noise.

Given the location of the application site and subject to Conditions, it is considered that the development would not result to an unacceptable impact on the amenity of neighbouring properties by way of noise.

The proposed development also has a potential to result in issues in relation to odours. The information submitted and further provided, has been reviewed by Environmental Health who have withdrawn the objection and raised no further concerns relating to odours. The use of friers has been removed from the submission and the equipment has been confirmed to be for baking (pizza ovens which would be gas fired), which therefore affirms the effect this could have on ventilation. Environmental Health are satisfied with the further detail provided.

Following the additional information submitted, Environmental Health have removed their original (holding) objection.

Overall, the proposed development would not be considered to result in significant

harm to residential amenities to existing nearby properties. The proposal would comply with policies CS2, CS19, and S2 as well as largely comply with the guidance contained within the Town Centre Uses SPD.

Other Issues

Waste

Policy CS26 (c) outlines that new development would be expected to facilitate the collection and recycling of waste. Policy WM9 of the Merseyside Waste Local Plan further ensures that suitable provision for the storage and collection of waste and recycling is considered.

Previously, bins were stored in the alleyway which separates the two blocks of the parade. As established, these are within adopted highway, which would not be considered suitable and would be outside the ownership of the application site (as this would not be located within the red line boundary.)

Following discussions with the agent, the application has been revised to house waste within the interior of the unit within a designated waste area. Moreover, from these discussions and objections received which address litter etc, the agent has submitted a supporting statement which details the provisions for waste management. This ranges from commercial waste management, customer waste management, litter handling and prevention and rat infestation mitigation.

Discussions were also had with Environmental Health, who stated that although a complaint was received previously regarding a sighting of a rat, no further evidence from an investigation and site visit from Environmental Health was found. Therefore, this point of objection is noted, however, would not be considered a significant concern at this time or would be a sufficient reason to warrant a refusal.

The proposal is considered acceptable and would demonstrate compliance with the outlined policies and Town Centre Uses SPD.

Crime and anti-social behaviour

The Town Centre Uses SPD (7.9) states that hot food takeaways also have the potential to raise residential amenity and anti-social behaviour (ASB) issues. This was also mentioned by an objection.

Therefore, consultations were undertaken with both Merseyside Police HQ and Knowsley's Crime and Communities Team. No objections were received from either consultation response.

The Merseyside Police HQ provided a response which outlined that Halewood in general does have records of existing anti-social behaviour problems, however, there is not a significant level of reporting to the police concerning Macketts Lane and the immediate area is low. On this basis, it was considered that the proposal would not be likely to result in any substantial concern for ASB.

Overall, the proposed development would not be considered to result in significant issues concerning ASB and community safety, crime and disorder.

Highways

The application site is located within a Primarily Residential Area and designated a Medium Local Centre.

The front of the units within the parade are served by a road which provides parking.

The internal Highway Authority were consulted with during the determination of the proposal. No objections were received, and the proposal development would not be considered to have an unacceptable impact on highway safety.

The proposed development is outlined to be used solely for a hot food takeaway and would not result in any large increase in vehicles requiring long-stay parking spaces (i.e. such as a restaurant) and would only be used for short-stay parking.

Overall, the proposed development would not be considered to lead to any adverse impact on highway safety and would be deemed acceptable.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to Conditions.

Recommendation

That Planning Permission be granted 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 proposed ventilation and extraction system hereby permitted shall be implemented in accordance with the approved plans and documents listed in Schedule 1 and shall be retained at all times thereafter. Any change to the approved details will not be carried out without the written approval of the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure the satisfactory development of the proposal.

- 4) 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 – Saturday and
10:00 to 22:30 Sundays and Public/Bank Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with the NPPF, Policy 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 2006.

- 5) 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, Policy 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 2006.

- 6) 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, Policy 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 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
05/07/2024	A1/102	REV B	PROPOSED PLANS AND ELEVATIONS
05/07/2024	A1/103	REV B	SIGNAGE
05/07/2024	A1/104	REV B	EXISTING AND PROPOSED BLOCK PLAN

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 11 July 2024

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Informatives

Not applicable.