

<u>APPLICATION NO:</u>	25/00689/COU	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	67 Eccleston Street, Prescot, Knowsley		
<u>PROPOSAL:</u>	TO CONTINUE TO USE GROUND FLOOR OF PREMISES AS A HOT FOOD TAKE AWAY (SUI GENERIS) IN ADDITION TO ITS LAWFUL USE AS A CAFÉ/RESTAURANT (CLASS E(b))		

Site Description

The application relates to a two-storey property, No. 67 Eccleston Street. The premises is 'L' shaped with ground and first floor fronting onto Eccleston Street with the first floor only extending over no. 4 Atherton Street.

The application site is within the Prescot Town Centre and Prescot Town Centre Conservation Area.

The premises are flanked either side by other commercial uses comprising a three-storey building which has retail sales at ground floor level with a theatre / dance studio above to one side with a single storey barber shop to the other side. Other town centre uses surround the site with a number of restaurants and a Wetherspoons public house are located on the opposite side of Eccleston Street.

The application site backs onto a car park serving Prescot and Whiston Methodist Church on Atherton Street.

Proposal

The application under consideration seeks permission to regularise the continued use of the premises for Hot Food Take Away (Sui Generis) in addition to its lawful use as a Café/Restaurant (Class E(b)). The hot food take away with deliveries is currently being carried out.

A Certificate of Lawfulness (Ref: 24/00407/CLD) established in November 2024 the lawful use for a restaurant (Class E(b) (sale of food and drink for consumption (mostly) on the premises)). In December 2024 planning permission was granted for the installation of an external extraction flue to the rear of the premises (Ref: 24/00506/FUL).

Council Enforcement investigations revealed that the premises are operating not only for the sale of food for consumption on the premises (café/restaurant) but also for the sale of hot food for consumption off the premises, collected by customers and the sale of food for consumption off the premises delivered to customers at a remote address (hot food take-away). The hot food take-away is a Sui Generis Use and does not fall within the lawful Use Class E (b). This current planning application seeks to regularise the use of the premises to include the hot food take-away use alongside the use as a café/restaurant.

Consultations

Environmental Health – No objection in principle subject to a condition relating to opening hours.

Highway Authority - No objections.

Local Plan Team - The proposal does not accord with the development plan or supplementary guidance relating to town centre uses and takeaway concentrations.

Public Health - Health Improvement And Health Protection – State that the application for the HFT should be refused if this puts Prescott over the limits for HFTs set out in the Town Centre Uses SPD. Provide evidence of obesity in children and adults in the area and details of diet-related illness resulting from over proliferation of poor-quality foods; advises on a healthier weight strategy whole system approach.

Town Centre Management - Raise concern and urge refusal, commenting that the Town Centre Uses SPD on hot food takeaways should be noted, regarding the grouping/quantum of takeaways not exceeding 5% of units in a town centre. In Prescott town centre. Advises 160 units in town centre meaning 8 hot food takeaways at present there are 11 existing and other businesses with takeaway facility alongside eat-in facility and/or 3 other premises that would not traditionally be known as a 'hot food takeaway' together with a dessert shop. Given there are already in excess of the maximum number of HFT's in Prescott town centre (without any the dual use premises.

Safer Community - No objection in principle. The majority of ASB [anti-social behaviour] is down the other end of the T.C [town centre]. Historic issues involving young people causing issues at the premises over a year ago.

Conservation & Design Officer - No objection.

Prescot Town Council - No Comments Received

Merseyside Police HQ - No observations received.

Representations

This application has been publicised by letters sent to 22 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

APP. NO:	24/00407/CLD
PROPOSAL:	CERTIFICATE OF LAWFULNESS FOR PROPOSED CHANGE OF USE OF GROUND FLOOR FROM CLASS E(a) (DISPLAY OR RETAIL OF GOODS OTHER THAN HOT FOOD) TO USE CLASS E (b) (SALE OF FOOD AND DRINK FOR CONSUMPTION (MOSTLY) ON THE PREMISES)
DECISION:	Granted
DECISION DATE:	7 November 2024

APP. NO: 24/00506/FUL
PROPOSAL: INSTALLATION OF AN EXTERNAL EXTRACTION FLUE TO THE REAR OF THE PREMISES.
DECISION: Granted
DECISION DATE: 20 December 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.

NATIONAL PLANNING POLICY FRAMEWORK

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

S2 - Diversification of Uses within Existing Centres
DQ2 - Security in the Built Environment
DQ5 - Development in Conservation Areas
ENV2 - Noise and Vibration

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS6 - Town Centres and Retail Strategy
CS7 - Transport Networks
CS14 - Principal Regeneration Area - Prescott TC
CS20 - Managing the Borough's Historic Environment
CS26 - Waste Management

THE JOINT MERSEYSIDE AND HALTON WASTE LOCAL PLAN 2013

WM9 - Sustainable Waste Management Design and Layout of New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Prescot Town Centre Masterplan SPD (2016-2028)

Town Centre Uses SPD (2016)
Ensuring a Choice of Travel SPD (2010)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

ASSESSMENT

Principle of Development - Location Impact on Vitality & Viability

The application site is located within the defined Prescott Town Centre boundary and within the primary shopping area of Ecclestone Street.

The Prescott Town Centre Masterplan SPD sets out the Council's strategy for the development of Prescott Town Centre in the period to 2028. It seeks to promote regeneration of the town centre and ensure that its future development delivers the Council's wider objectives for the sustainable development of the borough. The application site lies within the Eastern Action Area (EAA1) of the Masterplan as 'other opportunity sites' in addition to a key opportunities site which provide opportunities for new mixed use development, improved public realm and enhancement of pedestrian links. The proposed development does not conflict with the aims and objectives of the Masterplan.

Policy CS6 of the Local Plan establishes Knowsley's hierarchy of centres. Prescott Town Centre is at the top of the hierarchy along with Huyton and Kirkby Town Centres and Criterion 1 (a) of Policy CS6 seeks to enhance their equal role in providing comparison and convenience shopping and a complementary mix of leisure, health, residential, education, cultural, employment, service uses and complementary evening and night time uses.

Policy CS14: Principle regeneration Area – Prescott Town Centre of the Local Plan aims to address existing deficiencies in the retail performance of the centre and promote diversification of uses' services and facilities. Criterion 1 of the Policy states that the future viability and vitality of Prescott Town Centre will be supported by:

- a) *Encouraging a wider mix of town centres uses, services and facilities in the areas surrounding Ecclestone Street, including key services, residential, employment uses, cultural and leisure facilities to create distinctive identity and a complementary evening economy;*
- b) *Directing new retail development and other town centre uses towards Prescott Town Centre to ensure a healthy and balanced offer, with priority given to intensifying the retail function in a consolidated primary shopping areas in the area of Ecclestone Street and surrounding streets;*
- c) *Improving linkages and integration between Cables Retail Park and the existing town centre, including appropriate new town centre development along Sewell*

- Street and extending the designated town centre boundary in this direction; and*
- d) *Using the historic assets of the town centre and the surrounding areas, and the recreation potential of Knowsley Safari Park, to maximise tourism and cultural opportunities.*

When considering the proposal against the above criteria, clause 1(a) and (b) of Policy CS14 are pertinent. The interpretation of the policy is guided by the Town Centre Uses SPD and this is addressed later in the report.

Saved Policy S2 seeks to ensure that there is diversification of uses within existing town centres, proposals for new or change of use to provide town centre uses (as defined in Appendix 7) within existing town and district centres will only be permitted if they meet specific criteria. Hot food take aways are identified in Appendix 7 as amongst those uses often being appropriately located in a town, district or local centre provided they are of appropriate to the scale, role and function of the centre concerned. Criterion 1 of saved Policy S2 states:

- 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;*
- b) *The proposal would not result in a grouping of uses which would have a negative impact on the character of the centre;*
- 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; and*
- d) *The proposal would not cause or exacerbate on-street parking, traffic or amenity problems.*

Criterion 1 (b) – (d) of Policy S2 inform that proposals should not lead to a grouping of uses and the concentration of proposed hot food take away uses is discussed below. Other environmental impacts and highway related matters are discussed later in this report.

In promoting healthy and safe communities, paragraph 97 of the NPPF states that local planning authorities should refuse applications for hot food takeaways and fast-food outlets:

- a) *within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or*
- b) *in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour.*

The application site is located within a designated Town Centre and therefore the proposal does not need to be assessed against criterion a) of paragraph 97 of the NPPF. Criterion b) of para 97 is relevant in the assessment of this application.

Policy CS2 of the Local Plan seeks to reduce economic, environmental, education, health and other social inequalities between Knowsley and other parts of the UK and providing opportunities for positive lifestyle choices and health improvement for people of all ages.

The Council's Town Centre Uses SPD sets out issues in relation to health impacts associated with these uses. It highlights that *'there is a growing body of evidence linking the prevalence of unhealthy food in a local area with poor nutritional diets,*

weight gain, socio-economic disadvantage and lower levels of education.^{1, 2}

In relation to criterion 1 (b) of saved Policy S,2 the supporting text explains that significant groupings of similar uses will be avoided where these would have a negative cumulative effect on the character of the area.

The Town Centre Uses SPD aligns with this policy and recognises that whilst hot food take aways can complement the retail function of the town centre, over concentration can undermine the role and function of retail centres and can have a negative impact on the character of the centre.

The SPD states that in operating this requirement, the following thresholds should not be exceeded;

- a) *More than 5% of units within town centres being hot food takeaways;...*
- c) *More than two directly adjoining hot food take aways in a single centre's or parade's frontage;*
- d) *Less than two non-food take away units between individual groups or hot food take away units in a centre or parade.*

[only ground floor non-residential units will be counted / percentages should be rounded down].

Both paragraph 97 b) and the Council's SPD seek to ensure there is an appropriate concentration of hot food takeaways where these uses would have an adverse impact on the local environment and the health of local communities.

The lawful use allows for on-site consumption of food and provides 19 covers. The applicant has submitted a Planning Contravention Notice (PCN) as part of their supporting information (November 2025). The PCN sets out the way in which the premises are operating. The number of orders received over a 4 week period have been provided with a breakdown of how the orders were provided to customers categorising them by reference to eat-in (consumption on the premises e.g. café / restaurant); sale of hot food for consumption off the premises; and sale of food for consumption off the premises delivered to customers at a remote address. The information provided is summarised in the table below, including officer's assessment of the percentage of the sale of food for consumption off the premises (take away).

Week	Eat In	Takeaway / Collection	Delivery	% Hot food - consumption off premises
1	40	100	60	80
2	35	120	55	83.3
3	60	150	120	81.8
4	80	160	90	75.8

¹ Does neighborhood fast-food outlet exposure amplify inequalities in diet and obesity? A cross-sectional study | The American Journal of Clinical Nutrition | Oxford Academic (oup.com)

² Spatial Planning for Health: an evidence resource for planning and designing healthier places (publishing.service.gov.uk)

It can be seen from the above data that the split between eat-in and take away / deliveries suggest that the operational characteristics show a pattern which emphasises the provision hot food for off-site consumption which significantly exceed the percentage of sale of food for consumption on the premises. The proposed take away element has therefore introduced a level of accessibility and convenience which distinguishes it from the approved use as a café / restaurant. This along with the appearance and layout of the property demonstrate that the principal use of the premises is as a hot food takeaway rather than a restaurant/café.

The Council's Retail Centres Survey (2025) indicates that Prescott Town Centre comprises of 158 non-residential ground floor units. There are currently 8 hot food take away units operating within the centre. This currently equates to 5.06% rounded down to 5%. The existing proportion of hot food take aways within Prescott Town Centre is therefore currently at capacity in relation to the requirements of the SPD. Therefore, the proposed development would exceed the threshold and result in an unacceptable concentration of hot food takeaway uses which would have a negative impact on the character of the centre.

Principle of Development – Health and Wellbeing

Paragraph 96 of the NPPF seeks to enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – e.g. through access to healthier food.

Whilst it is acknowledged that healthy meals can be offered as part of some hot food takeaways, the Town Centre Uses SPD explains that *'Predominantly, food sold from hot food takeaways is high in fat and salt and low in fibre, fruit and vegetables and, therefore, provides little nutritional value for the calories it contains. Over consumption of this type of food can lead to a range of health conditions, including excess weight and obesity.'*

The ease of access to this type of food (especially now with the rise of delivery companies) means that consumers are constantly surrounded by foods that drive poor health. By limiting new hot food takeaways, this would reduce the opportunities for adults and children / young people to have access to such establishments. In turn, this would promote healthier lifestyles and better food choices. This is having regard to the majority of adults in England now being deemed either overweight or obese, with a substantial number of children on the same trajectory.

Obesity is recognised as an increasing threat to the health of individuals and communities and is linked to health inequalities. Overweight and obesity is linked to several serious conditions such as type 2 diabetes, heart disease and liver disease. It is also linked to poor mental health. In children especially, living with excess weight can result in bullying and stigmatisation making it hard for them to enjoy school and engage in all the activities. Being overweight or obese as a child strongly predicts living with excess weight as an adult.

There is a correlation between people living in the most deprived areas of Knowsley (and the country) having the highest levels of overweight and obesity. The application site is within the 'Knowsley 007F' Lower layer Super Output Area (LSOA) where only 4% of neighbourhoods in England are more deprived and the area is also more deprived than most neighbourhoods within Knowsley.

The 2025 Index of Multiple Deprivation (IMD) indicates that Knowsley is positioned as the 3rd most deprived local authority across England. Prescott is not the most

deprived area in Knowsley but it is within the top 30% most deprived areas across the country.

Public Health have advised that every year all pupils in Reception and Y6 are measured so this is where the most robust data comes from. In 2024/25 Knowsley had the 6th highest prevalence of children measuring as overweight or obese in Reception (29.7%) and the 7th highest for Y6 (43.3%). These statistics are much higher than the national figures³ of 10.5% and 22.2% respectively.

This means that almost one third of Knowsley's 4-5 year olds and almost half of 10 - 11 yr children are carrying excess weight with evidence showing that schools in Prescot and Whiston (for Y6) are above both regional and national averages.

For adults in Knowsley the current rate of overweight and obesity is 74.6% (2024/25) although Public Health consider that this is likely to be an under-estimate as it is from self-reported data. This is the 6th highest in the country.

Whilst it is recognised that hot food takeaways are not solely responsible for current dietary trends, dietary related illness is more likely to be a result of over-proliferation of poor quality foods, especially in more deprived areas. The above evidence reveals a major health issue for adult and childhood obesity issues within Knowsley. These issues are coupled with high levels of deprivation within the borough and within the Prescot North Ward.

Having regard to the above, the approval of an additional hot food takeaway within Prescot Town Centre, which is already at maximum capacity for hot food takeaway units, has the potential to cause unacceptable harm to the health of residents and exacerbate overweight and obesity issues within the borough.

Conclusion – Principle

The proposed development would result in an overconcentration of hot food takeaways in the Prescot Town Centre, resulting in more than 5% of units within town centre being hot food takeaways.

The approval of an additional hot food takeaway within Prescot Town Centre, which is already at maximum capacity for hot food takeaway units, has the potential to cause unacceptable harm to the health of residents and exacerbate overweight and obesity issues within the borough.

A refusal of this application would therefore meet the goals of paragraphs 96 and 97 of the NPPF, Policy CS2 of the Local Plan, CS14 and the Town Centre Uses SPD, which all seek to support healthy lives, reduce health inequalities and promote good health. Together with Saved Policy S2 1b) which requires that proposals would not result in a grouping of uses that would have a cumulative negative impact on the character of the centre.

Environmental and Amenity Considerations

The application site is located within a town centre surrounded by other town centre uses which include retail shops, theatre / dance school, betting office and a number

³ Public health profiles - OHID (phe.org.uk)

of late night uses such as other restaurants, bars and drinking establishments.

There are also a number of residential premises in the vicinity of the application site. The nearest residential property is located within the same block of buildings at 63a Eccleston Street. Other residential properties are located to the northwest at the rear on Atherton Street. More apartments are located to the south on Meribel Square, Aspinall Street, beyond the intervening Wetherspoons pub and there are other residential premises on Aspinall Street to the southwest with a number of flats above premises within the town centre.

The Council's Town Centre Uses SPD highlights that noise and odours caused by hot food takeaways can have an extremely detrimental impact on the quality of the local environment and there *is a clear need to consider the potential detrimental impact on the living conditions of any residents living near to a proposed hot food takeaway use...* This is supported at criterion 2 of Local Plan Policy CS19: Design Quality and Accessibility in New Development, Saved UDP Policy ENV2: Noise and Vibration and criterion 1 (c) of Saved Policy S2: Diversification of Uses within Existing Centres,

Odours

Associated odour and fume extraction equipment has previously been approved for the premises (Ref: 24/00506/FUL). The Council's Environmental Health Officer has commented that the premises have been operating as a restaurant with an option for delivery and takeaway and an extraction system installed to manage odours. They advise that it is not expected that the proposed change of use will result in a significant intensification compared to the current level of activity. In the absence of any complaints, Environmental Health Officers considered that the existing extraction system is adequately controlling odours. Should issues arise in the future, they can be addressed through separate non planning and relevant environmental health legislation.

Noise and Disturbance

Policies CS2, principle 4 (j) and CS19 together seek to protect and enhance environmental assets and minimise negative impact from noise or vibration and to ensure that any negative impacts are appropriately mitigated and to maintain a good standard of amenity for all existing and future occupants of land and buildings, avoiding unacceptable impacts on existing residents, business occupiers, and future occupiers.

Saved Policy ENV2 of the UDP states 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.

The above policies align with paragraph 135 of the NPPF which seeks to maintain a good standard of amenity for all existing and future occupants of land and buildings and paragraph 187 which requires decisions prevent new and existing development from being put at unacceptable risk from noise pollution.

The Town Centre Uses SPD states that proposals close to residential properties will only be allowed where there will be no detrimental impact in terms of odour, noise, visual intrusion or general disturbance.

In respect of opening hours, the SPD requires that when determining the appropriate hours of operation for hot food take aways regard will be had to likely impacts on residential amenity; the existence of an established late-night economy in the area;

the existence of a primary or secondary school within close proximity of the proposal; and the character and function of the immediate area.

The application site is located within an area which includes an established late-night economy and the SPD highlights that '*...In comparison with other uses within retail centres, it is acknowledged that hot food takeaways often need to operate later than normal daytime opening times compared to retail uses...hot food takeaways can complement the other establishments and form part of an evening economy...*

Nevertheless, these uses can generate a higher degree of noise and disturbance and it is essential that late opening hours do not adversely impact on residential amenity. In this regard, Environmental Health Officers have commented that opening hours suggested within the application (09:00 – 22:30 every day) do not align with those permitted under the premises licence for late night refreshment, as earlier hours have been proposed. Environmental Health consider that given the nature of the area, it would be appropriate for the closing times to match those permitted under the premises licence. No complaints have been received by the Environmental Health Team relating to the operation of the premises and they have no evidence that the 00:30 closing time on Fridays and Saturdays is having a negative impact on the amenity of nearby residents. Environmental Health Officers request an hours of use condition if planning permission is granted for the following hours:

Monday to Thursday: 09:00 to 00:00

Friday and Saturday: 09:00 to 00:30

Sunday: 09:00 to 00:00

As noted above, a number of residential properties are in close proximity to the site with the nearest unit, 63a Eccleston Street, separated from the application site by two intervening commercial units. However, the site is in a town centre location and surrounded by a number of neighbouring restaurants and drinking establishments which support a night time economy in the centre.

Taking into account the location of the site and the existing surrounding uses, and subject to the imposition of a condition restricting hours of operation, if planning permission was granted, the proposed development is not considered likely to give rise to unacceptable adverse impacts on the amenity of neighbouring occupiers arising from noise and disturbance.

Crime and Anti-Social Behaviour

Paragraphs 96 and 135 of the NPPF require that crime and disorder and fear of crime, do not undermine the quality of life or community cohesion and that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy CS19 of the Local Plan seeks, amongst other matters, to minimise crime, fear of crime and anti-social behaviour.

The Town Centres SPD recognises that such uses can, due to gatherings of people, become hot spots for anti-social behaviour, especially at night. The SPD advises that in determining any application for a new hot food takeaway, '*the Council will consider any issues concerning community safety, crime and disorder; and proposals for new hot food takeaways which, on the advice from Merseyside Police, would adversely affect personal safety will be restricted in their opening hours and/or will be required to provide or contribute to deterrent measures.*'

No observations have been received from local residents and Merseyside Police have not commented on the proposal. The Council's Safer Communities Team have not raised any objection to the proposed use and indicate that in terms of anti-social behaviour whilst historically there have been issues involving young people at the address that was over a year ago.

No assumptions can therefore be made about the behaviour of the customers who visit the premises. As such, it is not possible to attribute the hot food takeaway, or its customers to any future incidents of crime, as there is no evidence to support these assumptions. Therefore, it is not considered that there is sufficient evidence to conclude that the proposed development would have an unacceptable impact upon crime and community safety to warrant refusal of planning permission in this instance.

Conclusion - Environmental and Amenity Considerations

On balance, given the surrounding character of the area, it is considered that the proposed late opening hours to 00:30 would not be likely to result in harm to residential amenity. The proposed use would not result in substantial, adverse impacts in terms of noise and disturbance. As such the proposed development does not conflict with the NPPF, Policies CS2 and CS19 of the Local Plan, Saved Policy ENV2 of the Knowsley Replacement UDP and the guidance contained within the Town Centre Uses SPD.

Highways Considerations

Policy CS7 of the Local Plan states that new development will be required to be, amongst others, located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles.

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios

The Ensuring a Choice of Travel SPD provides the parking standards for each land use type. The Town Centre Uses SPD states that in determining planning applications for new hot food takeaways, the Council will consider the impact on the safety of pedestrians and road users with regard to criterion a) to g).

The application site has no on-site parking and Eccleston Street is subject to a 'No Waiting' restriction. The applicant has provided a statement by email in regard to *Delivery and Collection Management* in which they indicate would comprise the following measures:

- Where collections take place: All customer collections and third-party delivery driver pick-ups take place inside the premises at the front entrance on Eccleston Street.
- No parking-up outside the shop: Drivers are instructed not to park up or wait outside the premises, and not to obstruct the carriageway, footway, neighbouring accesses, crossings, or junction visibility.
- Timing / "ready for collection" process: Orders are managed so drivers attend only when the order is ready, reducing early arrivals and loitering.

- Where drivers wait if early: If a driver arrives early, they are directed to wait at the Cyprus Street public car park and then come to the shop only for a brief pick-up.
- Church car park: We cannot confirm permission to use the Church car park (it is not mentioned in our lease and the landlord/lease issuer could not confirm any separate permission), so it is not relied upon for customers, staff, or drivers.
- Monitoring: Staff will monitor peak times and manage collections to prevent any congregation and ensure quick turnover.

The Local Highway Authority have raised no objection to the proposal and consider that the use would not involve the intensification of vehicle movements that would compromise highway safety. The availability of nearby public car parks, plus the controlled nature of collections / deliveries would ensure that there would be no unacceptable impact on highway operation or safety.

Conclusion – Highway Considerations

Having regard to the above, the Local Highway Authority raise no objection to the proposed development. The proposal would not adversely affect the safe operation of the surrounding highway network and the development does not therefore conflict with the NPPF, Saved UDP Policy S2, Local Plan Policies CS2, CS7 and CS19, the Ensuring a Choice of Travel SPD and Town Centre Uses SPD where they relate to highway safety.

Waste Management

Policy CS26(c) requires that new development facilitate the collection and recycling of waste. Policy WM9 of the Merseyside Waste Local Plan seeks to ensure that adequate measures are provided for the facilitation of storage and collection of waste and recyclable material.

Para. 7.32 of the Town Centre uses SPD highlights that *'hot food takeaways can generate a significant volume of litter and waste, and the disposal of this will be a consideration in all planning applications...It is therefore important to ensure that there is sufficient physical space to accommodate commercial bins and enable safe collection by licensed operators...'*

The application site is served by a yard area to the rear which is accessed from the adjoining Methodist Church car park off Atherton Street. The supporting plans indicate that waste would be stored within the yard. The Council's Environmental Health Team have not raised any concerns regarding the provision of waste storage and the collection thereof.

It is considered that the proposed use would not result in significantly greater volumes of waste than the café / restaurant use and as such it is considered that adequate storage and facilitation of waste collection is acceptably managed on the site.

A number of litter bins are located within the town centre with existing bins located nearby on Eccleston Street. It is considered therefore that, if planning permission was granted, that it would not be necessary or reasonable to require the applicant to provide additional provision.

Conclusion – Waste Management

The proposal would be acceptable in terms of waste management and in accordance with the NPPF, Policy CS26 of the Local Plan, Policy WM9 of the Merseyside and Halton Waste Local Plan, the Town Centre Uses SPD.

Heritage Considerations

The site is within the historic commercial core of Prescott town centre and within the Prescott Town Centre Conservation Area. The nearest listed building is located at 17 Atherton Street. No. 17 Atherton Street is a Grade II listed building comprising a house forming part of a terrace circa 1790 which marks an early phase in the history of watch making in Prescott. The building has a longstanding history of commercial use at ground-floor level and forms part of a streetscape characterised by active shopfronts and commercial uses typical of a historic town centre environment.

Chapter 16 of the NPPF - *Conserving and enhancing the historic environment*, advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Policy CS20 of the Local Plan sets out local planning authority's approach to managing the Borough's historic environment and requires development proposals to preserve or enhance the Borough's historic and architectural assets including buildings and structures of historic importance. Saved Policy DQ5 of the UDP requires new development in a conservation area to preserve or enhance the character or appearance of the Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when a proposal is within a conservation area and this requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. A similar duty exists at Section 66 which states: *In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

The proposal does not involve any external alterations to the building and would not therefore give rise to any visual change to the street scene, nor would it affect the character or appearance of the Prescott Town Centre Conservation Area.

In considering the level of harm to heritage assets it is considered that the proposed development will result in no harm to the character or appearance of the Prescott Town Centre Conservation Area or listed buildings. The proposal accords with the objectives of Chapter 16 of the NPPF, Policy CS20 of the Knowsley Local Plan Core Strategy, and raises no concern from a heritage perspective.

Conclusion – Heritage Considerations

The proposal development results in no harm and preserves the character and appearance of the conservation area and listed buildings and accords with the objectives of Chapter 16 of the NPPF, Policy CS20 of the Knowsley Local Plan Core Strategy and DQ5 of the Replacement UDP.

Conclusion

Evidence shows that there are high levels of obesity within Knowsley, as well as high levels of deprivation. Accordingly, the proposed hot food takeaway has the potential to cause unacceptable harm to the health of residents and exacerbate existing obesity issues.

The proposed use would result in an overconcentration of hot food take away uses within the Prescott Town Centre which and this would not support the aims of paragraph 96 c) of the NPPF. Furthermore, it is considered that the proposed development fails to meet the requirements of the NPPF paragraph 97 b) as there is evidence that such uses has an adverse impact on local health.

The proposal fails to comply with Policy CS2 of the Local Plan and the Town Centre Uses SPD, which all seek to support healthy lives, reduce health inequalities and promote good health and Saved Policy S2 1b) which requires that proposals would not result in a grouping of uses that would have a cumulative negative impact on the character of the centre.

The principle of the development is therefore unacceptable. The application is therefore, recommended for refusal.

Recommendation

That planning permission be refused for the following reasons:

1. The application site is located within Prescott Town Centre and would fail to comply with the Council's Town Centre Uses Supplementary Planning Document in that the proposed development would contribute to an overconcentration of hot food take away uses in Prescott Town Centre and as such would increase access to unhealthy food to the detriment of the health and wellbeing of the local community in an area that is already experiencing high levels of obesity. Accordingly, the proposal conflicts with paragraphs 96 and 97 of the National Planning Policy Framework (2024), Saved Policy S2 of the Knowsley Replacement Unitary Development Plan, Adopted June 2006, Policy CS2 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Town Centre Uses SPD.

Signed Case Officer⁴:

M Wishart

**Signed Authorising
Officer⁵:**

A Kilroe

31/7/26

Date:

⁴ 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

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